

SENATE—Tuesday, March 30, 1993

(Legislative day of Wednesday, March 3, 1993)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the Honorable BYRON L. DORGAN, a Senator from the State of North Dakota.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

In a moment of silence, let us remember George McLain who is in the hospital with heart trouble.

"Bless the Lord, O my soul, and forget not all his benefits: Who forgiveth all thine iniquities: who healeth all thy diseases." (Psalm 103:2, 3)

Gracious God our Father, in a family as large as ours there may be many who are ill or who have loved ones who are ill. This morning we lift up to Thee for Thy gracious care and healing all who are sick. We pray for those who are hurting in any way—family troubles, money matters, job displeasure, broken relationships with peers—and pray for the gracious touch of God's love upon every situation.

We pray for the First Lady's father and ask Your comfort upon her and the family. And if there be any who have lost a loved one, may Thy comfort and consolation fill their hearts.

Thank You, Father, for Your love, Your care, Your healing. We pray in the name of The Great Physician. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 30, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BYRON L. DORGAN, a Senator from the State of North Dakota, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. DORGAN thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Chair recognizes the majority leader.

SCHEDULE

Mr. MITCHELL. Mr. President, there will be a period for morning business today from this time until 11 a.m. At 11 a.m., the Senate will return to consideration of the pending bill, the supplemental appropriations bill, and at that time, there will be, without any intervening action or debate, a vote on the motion by the chairman of the Appropriations Committee, Senator BYRD, to reconsider the vote on the motion to table the Brown amendment, which occurred last evening.

So a vote will occur at 11 a.m., and it may be followed by votes throughout the day.

Senators should be aware that we expect other amendments to be offered during the day and into the evening.

Mr. President, I repeat what I have said publicly on many, many occasions over the past several weeks—that the Senate, prior to leaving for the Easter recess, must complete action on the three remaining measures; the conference report on the budget resolution, the economic investment and stimulus program, and the debt limit extension.

It is my hope that we can complete action on those measures by the close of business on Friday, as scheduled, or earlier. But in the event we are unable to do so, then we will remain in session for as long as it takes to do so and, if necessary, reducing the length of time of the forthcoming Easter recess.

I hope that is not necessary, and I hope that does not occur, but every Senator has now been placed on ample notice in statements by me over a period of many weeks to that effect. It is important that we act on these critical measures, and we will stay here for as long as it takes to do that.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time, and I reserve all of the time of the distinguished Republican leader.

The ACTING PRESIDENT pro tempore. The leadership time has been reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 11 a.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

The Senator from Texas [Mr. GRAMM] is recognized to speak for up to 10 minutes.

CUTTING THE PORK OUT OF THE PRESIDENT'S ECONOMIC PACKAGE

Mr. GRAMM. Mr. President, last night, in the final act of the Senate, we voted against a motion to table an amendment authored by Senator BROWN, cosponsored by several others and myself, that aimed at cutting pork barrel spending out of the President's economic growth package. I would like to talk about that this morning in my 10 minutes.

We are going to vote again in relation to that amendment at 11 o'clock. I think it is going to be one of the defining votes of this Congress, and I hope the American people will pay very close attention to that vote, because we are going to find out on that vote, who is for real and who is not for real in terms of deficit reduction and in terms of cutting Government waste.

I would like to remind my colleagues, and I would like to remind those who are following this debate, that we are now considering a bill proposed by the President that will spend \$16.3 billion of new money designated as emergency spending, because without that designation, this bill is illegal. The expenditure of this money would violate the law of the land adopted in 1990, when the American taxpayer paid \$152 billion of new taxes in return for spending restraint, and we now have a cap on the total level of discretionary spending. This bill violates that cap by raising discretionary spending by \$16.3 billion.

But we are using a parliamentary gimmick to make it possible for this bill to be considered, despite the fact that it is illegal. By designating all of this spending as an emergency a week after we adopted a budget, claiming we were reducing the deficit, we are now going to add \$16.3 billion to the deficit but we are not going to count one penny of the spending as spending. We are not going to count one penny of the spending as deficit; yet, we are going to have to go out and borrow the money.

I think the American people are going to see through this sham like it was branch water and recognize that in the first postbudget test of our credibility on spending control and deficit reduction, we proved that we were not living up to all the flowery rhetoric that has come from both the White House and the Congress on this issue.

We have before us a bill that spends \$16.3 billion, and the great bulk of that bill is nothing other than good, old-fashioned pork barrel. This bill is not an economic stimulus package; it is a political stimulus package, and there is no better example of that than the Community Development Grant Program.

Let me explain how all this happened. The Secretary of Housing and Urban Development and the Secretary of Transportation went to the mayors and said: We are about to provide you with \$2.5 billion, and we want you to make up a list of ready-to-go projects, projects that you are ready to fund. That list has now been made up and has been turned in, and that list reads like something out of a comic book.

I doubt if the American people know the projects that are available for funding, where their money is going to be spent, in a year we are proposing raising taxes on Social Security recipients who earn \$18,000 a year or more in the name of dealing with the deficits. I doubt that the American people would support funding new gyms, pathways in various parks, sports parks, graffiti abatement, building parking garages, bike paths, to build a huge sporting complex, an amphitheater and softball field, or an art ark in San Francisco, which is going to be a working art environment where people will live in the same area that they are working on art.

And the list goes on and on and on.

I want to begin by giving credit where it is due. Senator BYRD and Senator HATFIELD, alarmed about this pork, offered an amendment which has been adopted that said that none of the money could be used for golf courses or cemeteries, and then they got more specific. They said none of the funds under this act may be used for white water canoeing facilities on the Ocoee River, fisheries atlases, or studies of the sicklefin chub. They did not talk about the humpback chub, or any other kind of chub, but the sicklefin chub studies will be denied funding.

The problem is that it is simply the tip of the iceberg. That is where Senator BROWN and I, and others, came in by offering an amendment that provided for the elimination of 54 of the most greivous pork-barrel proposals that have ever found their way into potential funding, I believe, in the history of this country. That is a strong statement, and maybe it is not true, but just listen to them: Tennis courts and basketball courts to be resurfaced and color coded in Evanston, IL; pool renovations; pool repair; tennis courts; Fairmount Park boat house restoration; the art ark; swimming pool refurbishment; construct an ice skating warming hut on Union Pond Park in Manchester, CT.

I ask my colleagues, how are we going to rebuild the American economy

by constructing an ice skating warming hut at Union Pond Park, in Manchester, CT? Is this an economic growth package? Golf courses, parks, recreation, basketball courts—and the list goes on and on—painting water towers.

Mr. President, this is not economic growth; this is pork barrel. And I wonder sometimes, have we lost our ability to be outraged? I cannot understand why people are not so outraged at the possibility of funding these programs that we do not have 100 Members of the Senate voting for the Brown amendment. But we do not. In fact, we are going to vote at 11 o'clock on whether or not to overturn the Senate's action last night, an action that properly would drop these 54 items of pork barrel.

Mr. President, I hope we have not lost our ability to be outraged. I hope we will adopt this amendment. I hope we will save \$105 million. I hope we will begin by taking these little sausages and this little bacon out, and then we will start in earnest and take all the ham out of this bill, and finally get down to a bill that people can vote for and not be ashamed of voting for.

If you have not lost your ability to be outraged at Government waste, if you mean anything you say about deficit reduction, if you are serious about the deficit, you have to vote for the Brown amendment. If you do not vote for the Brown amendment, you can say many things; but never, ever again, it seems to me, can you say that you are serious about cutting out pork or reducing the deficit or balancing the budget. That is the question I think that all 100 Members of the Senate are going to have to answer.

I would simply like to say in conclusion, Mr. President, that we are coming down now to the moment of truth. Are we for real, or are we not for real in terms of deficit reduction? If we want to do something about pork barrel, if we want to reduce the deficit, if we want to balance the budget, how can we, the week after we adopt a deficit reduction budget, in our first act, vote for a spending bill for \$16.3 billion that violates current law and where we use a special gimmick where it is not spending, it is not deficit—even though it is spending, it is deficit—and we have to borrow the money?

We will have another vote later today to delete the emergency designation. I hope we will be successful in that. At that point, we would have to pay for this bill, and I can assure you, if we have to pay for it by taking money away from other projects, all of these tennis courts and swimming pools and art arks will be dropped. The reason they are in this bill is we do not have to pay for it. They are there simply to pay back political debts. I think it is wrong.

I think if the American people understood what we were doing, they would

march on the Capitol and possibly tear this building from its ancient foundations. But the American people do not know. But we know, and we are the stewards of their interests.

I am prayerfully hopeful, Mr. President, that when we vote again on the Brown amendment, that that amendment will be adopted.

I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Texas yields back the remainder of his time.

The Chair recognizes the Senator from Montana for 5 minutes.

Mr. BURNS. Mr. President, I thank the Chair. I will not take the 5 minutes. I am being recognized in opposition to H.R. 1335, the economic stimulus package, this morning.

It will not take me long to make my point, because the Senator from Colorado is on the floor and wants to make the point for his amendment, which I supported last night, and I would hate to see that overturned on this floor today.

We are saying we are trying to create jobs, and the proponents of this package have claimed it will create 219,000 jobs. What they are not telling you is it will cost 90,000 bucks to create each of those jobs—90,000 bucks.

The private sector managed to create 365,000 jobs last month alone without any help from the Government. I will tell you, when you make that comparison, you would have to say, how is this for an efficient government? But let us take those figures—and those figures are not just pulled out of the sky; there is real meat to them. But the point I want to make is, why do you think we oppose this stimulus package from our side of the aisle? I can sum it up in one little second.

I got 10,000 cards from Butte, MT. The registration of the Democrats to Republicans in Butte, MT, is 2 to 1. I got 34 percent of the vote in Butte, MT, in 1988. This is not a Republican bastion; 10,000 cards—they are all right here. I do not want to put them all in the RECORD. These are all real names on them, real addresses, and real ZIP Codes; 10,000 of them. You know what this says? Cut spending first, and then we will talk about taxes.

But here is a city that thrives on mining and resources, and they understand what it is to work for a living. It is a great city in Montana. But keep in mind, it is not the Republican bastion. And 10,000 of these come to my doorstep. You wonder why we are not talking about just fiddling around with sense of the Senate, or not shooting with real bullets.

There is no doubt in my mind that people are hurting out there. Increased spending to build roads and bridges, create temporary jobs for young people, and fund other projects sounds like an attractive idea. The package was de-

signed to be that way—it is one last spending binge before the American people get hit with increased taxes.

I am all for creating jobs. There are people out there who are unemployed and underemployed who need them. However, Government is not the best entity to create jobs. The proponents of this package have claimed that it will create 219,000 new jobs this year. What they are not telling you is that the taxpayers are footing the bill—to the tune of nearly \$90,000 for each job. How is that for efficient Government?

The private sector managed to create 365,000 jobs last month alone, without any help from the Government. That is over 100,000 more jobs than this package will create this year.

Instead of turning the bureaucrats loose to create jobs, why not give small businesses a tax credit for doing the same thing? The business of America is business—that is the America I know.

Americans are looking to Congress and to the President to reduce the deficit. This is not the time to add to the national debt. Increasing the debt could have a serious dampening effect on the economy. In fact, passing this stimulus package adds about \$65 to the deficit for each man, woman, and child in this country.

Mr. President, we are not stimulating our economy with this stimulus package. We are stimulating our national debt.

If there is one concern I have been hearing from the folks at home, it is: "reduce the deficit". I have brought over an example of some of the mail I have been getting. Here are some of the over 10,000 postcards sent to me by residents of Butte, MT.

I agree with these Montanans that we must cut Federal spending before considering new taxes, and that any new taxes should go directly toward reducing our huge Federal deficit.

The funds in this package do not reduce the deficit. They are being added to the deficit. I urge my colleagues to oppose the economic stimulus package.

I yield the remainder of my time.
The ACTING PRESIDENT pro tempore. The Senator from Montana yields his time.

The Chair recognizes the Senator from Colorado [Mr. BROWN].

Mr. BROWN. Thank you, Mr. President. I rise in opposition to the stimulus package that is before the Senate.

Mr. President, I wanted to take advantage of these few moments before the Senate assembles and votes on the motion to reconsider that was laid over from last night.

Mr. President, several items were mentioned in the debate that I think are of serious concern and merit an answer. One of the opponents to the Brown amendment that would strike \$103 million out of this package indicated that the list of projects was imaginary; that it did not exist, I assume was the point he was making.

Mr. President, I appreciate the chance to answer that. The list of projects that is specifically delineated in the amendment is not imaginary and it did not come from this Member. The list of projects specifically came from a list delivered by Secretary Cisneros to the House Appropriations Subcommittee in which the Secretary said in the verbatim transcript:

"I have in front of me a listing, from the United States Conference of Mayors, of projects ready to go under the Community Development Block Grant Program.

Mr. President, the list that supplied the source of this amendment is not imaginary. It is not of a Republican creation. It is a list delivered by the Secretary himself in reference to how the money would be spent. These are copies of that list. What is in the amendment is verbatim from this or summaries of the verbatim. It is not imaginary. It is a list delivered and prepared and assembled by the Secretary himself.

It was also mentioned in debate that these projects that are delineated in the amendment are not in the bill. Of course, CDGA grants are not listed in the bill. They are granted by the Secretary, the Secretary that delivered the list of things we are prohibiting.

What is in the bill and what is affected by the amendment is the money. The money that is in the bill is specifically for that program that the Secretary indicates will be spent on projects like this.

So the two charges that were made last night: First, that the list is imaginary is clearly not correct; second, that it is not in the bill is not correct. The fact is the money is what counts and the money is in the bill. The money is what is affected by the amendment.

Mr. President, I simply add this. This Nation faces serious problems. We all understand and appreciate the need to deal with the deficit. If we cannot deal with silly pork, silly pork that is included in these projects, if we cannot say "no" to golf courses and tennis courts, if we cannot say "no" to decorating cemeteries, how in the world are we going to deal with the tough issues that lie before us?

This amendment is important, not just because it saves the taxpayers \$103 million, it is important because it says this body means what it says when it comes to setting limits on spending.

If you defeat a reasonable amendment that eliminates wasteful projects, it sends a message, also. It says that this body is not willing to make even easy decisions that will help bring this country back in line.

I yield back my time, Mr. President.
The ACTING PRESIDENT pro tempore. The Senator from Colorado yields the floor.

The Chair recognizes the minority leader, Senator DOLE, from Kansas.

Mr. DOLE. Mr. President, I thank my colleague from Colorado for his effort last evening, and I hope we can sustain that effort by not voting to reconsider the vote.

The vote was fairly clear. It was about a four-vote margin. I know there has been a lot of pressure applied since last evening, but if we cannot reduce this kind of spending, we ought to just lock up Congress and take the rest of the year off instead of 2 weeks off.

If we cannot cut a golf course in Daytona Beach, FL—if that is an emergency, then I do not know how you can explain it.

What else is here? Here are some examples: Theater renovation, a sports park, cemetery drainage system, a performing arts center in my part of the country. Those are not emergencies.

As the Senator from Montana has pointed out, most people in America say, "Cut spending first."

There has been a lot of talk in this Chamber about gridlock. What we have right now is not gridlock it is "porklock." Pork—p-o-r-k—lock; porklock.

My colleagues on that side like pork. We do not think it is necessary. We do not think it creates any jobs. It adds to the deficit. So this is not gridlock, this is porklock.

As soon as we understand what America's priorities ought to be and start knocking out some of this in the package, maybe the package can pass. But until that happens, I can tell my colleagues on the other side, you better file cloture, because I do not think this bill is going anywhere unless we can make substantial changes in it. We are serious about reducing spending, not adding spending.

We just passed the budget resolution that raises taxes \$300 billion over the next 5 years—\$300 billion. Now we are back here adding \$16.4 billion to the deficit.

So I urge my colleagues to take a look at this Brown amendment. If we cannot pass the Brown amendment by a unanimous voice vote, then I think we are failing the American people, who cannot understand why we continue to vote for more and more and more spending and more and more and more taxes.

We get one little chance to save \$103 million and we cannot even do that. The American people are going to be listening and watching. They are going to find out what is in this package.

I suggest the Senator from Colorado has performed a great service, and we ought to sustain his effort by not voting to reconsider the vote that was taken last night.

POSITION ON VOTE NO. 84

Mr. GORTON. Mr. President, I ask unanimous consent that the permanent RECORD reflect that had I been present

and voting on the motion to table the Brown amendment No. 279, I would have voted in the negative.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt—run up by the U.S. Congress—stood at \$4,224,085,667,571.94 as of the close of business on Friday, March 26.

Anybody remotely familiar with the U.S. Constitution is bound to know that no President can spend a dime of the taxpayers' money that has not first been authorized and appropriated by the Congress of the United States. Therefore, no Member of Congress, House or Senate, can pass the buck as to the responsibility for this long-term and shameful display of irresponsibility. The dead cat lies on the doorstep of the Congress of the United States.

During the past fiscal year, it cost the American taxpayers \$286,022,000,000 merely to pay the interest on reckless Federal spending, approved by Congress—spending of the taxpayers' money over and above what the Federal Government has collected in taxes and other income. This has been what is called deficit spending—but it's really a form of thievery. Averaged out, this astounding interest paid on the Federal debt amounts to \$5.5 billion every week, or \$785 million every day—just to pay, I reiterate for the purpose of emphasis, the interest on the existing Federal debt.

Looking at it on a per capita basis, every man, woman, and child in America owes \$16,445.16—thanks to the big spenders in Congress for the past half century. The interest payments on this massive debt average out to be \$1,127.85 per year for each man, woman, and child in America. Or, looking at it still another way, for every family of four, the tab—to pay the interest alone, mind you—comes to \$4,511.40 per year.

Does this prompt you to wonder what America's economic stability would be like today if, for the past five or six decades, there had been a Congress with the courage and the integrity to maintain a balanced Federal budget? The arithmetic speaks for itself.

TRIBUTE TO DR. HOWARD D. MEHLINGER

Mr. DURENBERGER. Mr. President, as a member of the Education Subcommittee of the Labor and Human Resources Committee who has long promoted programs to improve and expand educational opportunity, including introduction of legislation on public school choice, charter schools, service learning and the Simon-Durenberger bill to expand access to Federal

student loans, I was pleased to recently note the achievements of a great educator who has contributed significantly to the kinds of advancements in education I have long promoted.

Dr. Howard D. Mehlinger, director of the center for excellence in education at Indiana University had helped build a critical bridge between the technology of the 21st century and the needs of teachers and students in today's classrooms, using technology to link people and ideas not only within a classroom but around the country.

The center for excellence in education officially opens its doors today. The project is a testament to Dr. Howard Mehlinger, the leadership at Indiana University and those in the private sector who provided the vision and support that helped make the case to Congress.

It is with great pride that I salute the center and Dr. Mehlinger's determination to make this project a reality. We look forward to a close partnership as this national center fulfills its ambition as a center of intellectual enterprise, technological experimentation and education and a place the public can visit and see firsthand how these discoveries can enhance education in America.

THE RETIREMENT OF DON HOVEY

Mr. LEAHY. Mr. President, after 27 years as managing editor of the Caledonian-Record, Don Hovey is leaving the newspaper for a well-deserved retirement.

The Caledonian-Record, which serves the northeast kingdom of Vermont and parts of adjoining New Hampshire, almost endorsed my candidacy for the U.S. Senate in 1986. Almost is as close as the newspaper ever came.

The newspaper's flirtation with such heresy was short lived.

Before and since, Don has penned most of the editorials making the case against me, while ascribing virtues and wisdom beyond their years to each of the 4 opponents I have run against during the last 18 years.

Now you have to be a Vermonter to understand that this in no way affects the longstanding relationship and friendship that Don and I have enjoyed for all the years he has been managing editor of this fine newspaper.

I have known Don since the days when a crewcut was his trademark and his reporting of sporting events had few peers among the State press corps.

He made the transition to news and won the respect of the community as a very successful managing editor who has guided the Caledonian-Record through an unprecedented period of growth in one of the most beautiful areas of our State.

I have respected his journalistic integrity throughout his long career—and my admiration for his work at the

newspaper goes beyond any political differences between two Vermonters.

Mr. President, I ask that this article by David Gram of the Association Press in Montpelier be reprinted in the CONGRESSIONAL RECORD in its entirety.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CALEDONIAN-RECORD EDITOR DON HOVEY
RETIRES

(By David Gram)

ST. JOHNSBURY, VT.—When the tip came at 10 p.m. that state police would launch a dawn raid on an Island Pond religious sect suspected of abusing children, Don Hovey went to Island Pond and spent the night in his car.

When a big fire hit a downtown Hardwick business block, the managing editor of the Caledonian-Record went out in minus-20-degree weather after his paper had already gone to press on a Friday night and wouldn't publish again until Monday.

When Hovey needed someone to stake out a pay phone where a key witness in the fatal shooting of a police officer was expected, he went back to Hardwick himself. While waiting there he chatted with passersby on the sidewalk, soaking up bits of information about community goings-on.

"You've got to go to the scene. I really believe that," Hovey said over lunch one day last week as he reflected on a career that ended with his retirement Friday.

For 27 years as managing editor at the daily paper serving northeastern Vermont and northern New Hampshire, Hovey hasn't hidden behind his desk or his title.

In a day when many larger papers resort to reader surveys and special community forums to try to find out what the public is thinking, Hovey, who just turned 65, still takes to the sidewalk or the doughnut shop.

After the paper's midday deadline, publisher Mark Smith said, "Hovey normally heads down to the Dunkin' Donuts and talks to all the reprobates who hang out on the street corners."

Hovey said the doughnut shop actually had lost something as a place to chat up sources when it recently took out the counter seating and replaced it with tables. "You can't get close to anybody anymore."

But he's close enough to his community that on a visit for lunch at the Lincoln Inn in St. Johnsbury last week, nearly everyone said hello.

"The Caledonian won't be the same without you around there," one woman said, congratulating Hovey on his retirement.

The Lyndon native broke into journalism as a part-time freelancer covering sports events both for the "Caledonian," as the locals call the 10,000-circulation daily, and for The Burlington Free Press.

He'd worked a regular job as a pricing clerk at Fairbanks Scales Inc. for 15 years when the then sports editor at the St. Johnsbury paper died of a heart attack.

Several people suggested he apply for the job, but Hovey wasn't sure. "I was happy at Fairbanks. I had 15 years' seniority. I could have stayed there forever."

Finally he decided to apply, and was given the job. There was a lot to learn about sizing pictures and headlines. "After the first day I damn near quit," Hovey recalled. "I was so mixed up."

But he hung in there, and soon he was handling news reporting and photo assignments as well as the sports.

"Around here, everyone pitches in and does whatever job needs to be done," said pub-

lisher Smith, who occasionally plows out the paper's parking lot.

On a weekend trip to visit friends in St. Albans, Hovey was asked to run down to Burlington to take a picture of the visiting vice president, Lyndon Johnson.

The sports editor as vice presidential photographer sums up Hovey's jack-of-all-trades approach to journalism. Named managing editor in 1966, he's continued to travel to high school basketball games around the region when there are more games than writers handy on a Friday night.

And he always carries a camera.

Hovey had his camera handy the night in June 1984 when he and reporter Jan Newpher drove to Island Pond. He was ready when dozens of state police cruisers from all over Vermont converged on the hamlet to round up children of the Northeast Kingdom Community Church who were suspected victims of child abuse.

A judge later in the day ruled the raid unconstitutional, and the allegations of abuse never were proven, but the raid itself was labeled by many the story of the decade in Vermont. Hovey provided one of his pictures to The Associated Press and it landed on the front page of the next day's New York Times.

With the reserved style and clipped drawl of a Northeast Kingdom native, Hovey has plenty of stories once you get him going.

There was the time the FBI demanded a copy of his picture of a Vietnam War protester burning his draft card on the Lyndonville bandstand. "They must've blown the picture up 100 times. It was amazing."

He recalls vividly the day as a rookie sports editor he was the one to run downstairs and yell, "Stop the presses!" President Kennedy had been shot, and the news came over the wire just as the paper was being printed at 1:30 p.m.

Hovey said the front page was made over with a two column story in the middle bearing the page-wide headline, "Kennedy Shot."

"We must have been one of the first papers in the world to have that on the street, because it happened right on our deadline," Hovey said.

Though Hovey's last official day was Friday, he says he'll still be around helping out. The paper's resources will be stretched thin as always on Tuesday when it's the annual Town Meeting Day in Vermont, and again a week later when towns do their annual business in New Hampshire.

Hovey says he'll go wherever his longtime assistant and now new managing editor Ellie Dixon wants to send him.

And he says he'll be sure to bring his camera.

SECURITY OF ISRAEL

Mr. COCHRAN. Mr. President, the article written by Lally Weymouth in yesterday's Washington Post about the security of Israel, our most valuable ally in the Middle East, gives a compelling account of the threats that Israel faces—chemical, biological, and nuclear weapons—and how these threats affect our own security interests.

One aspect of the article that struck me most was Israel's vulnerability to attack—from any number of hostile neighbors. Two years ago that threat came from Iraq. We should not forget the sight of Iraqi Scud missiles raining

down on Israel and American forces during the Persian Gulf war.

Today another threat looms from Iran which is bankrolling international terrorism, helping Saddam Hussein break the U.N. oil embargo and—worst of all—building the most modern weapons and missile delivery program in the Middle East.

The message of Ms. Weymouth's article is that we must have a credible missile defense system. A dependable boost-phase defense—that uses small rockets to intercept attacking missiles in their boost phase is essential to defend against missile attacks. It's the only true defense that protects Israel from her neighbors. And it's the only true defense that protects American forces that are deployed today around the world.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 29, 1993]

RABIN'S WARNING: "BOOST-PHASE" DEFENSE
(By Lally Weymouth)

Although Israeli Prime Minister Yitzhak Rabin and President Bill Clinton struck-up a comfortable relationship during Rabin's recent visit to Washington, the top-level talks that attended the Rabin-Clinton meeting left several important issues unresolved.

From Israel's standpoint, in fact, the talks—at one level—were a disappointment. Washington rejected Jerusalem's request for several key technologies important to Israel's security. Among other things, the Israelis asked for "real-time" (instant) intelligence on the Arab world and for software for F-15 and F-16 fighters—both to no avail.

Rabin also asked the U.S. president for co-operation in the space defense realm. Israel's concerns here cannot be overstated. Despite modest progress in the Arab-Israeli peace process, Israel cannot afford to be sanguine about its vulnerability to attack by chemical and nuclear weapons.

The Israeli prime minister stressed to U.S. policy-makers that Iran—not Iraq or Syria—poses the most profound threat to Israel. The Iranian threat, as Rabin analyzes it, turns on Iran's growing ability to make and deliver weapons of mass destruction—including nuclear weapons. Rabin also pointed up Iran's extensive international terrorism apparatus.

One of the most deadly weapons that outlaw countries like Iran may one day launch against Israel is a missile carrying a warhead that separates right after the initial "boost phase" into 50 to 100 separate bomblets, each carrying a deadly toxin. The aim of these bomblets, called "cluster munitions," is to deliver death over a wide area.

Such weapons, to be sure, threaten, not just Israel and other U.S. allies in the Middle East and in Europe but also U.S. forces deployed overseas. Indeed, American strategists argue that U.S. security interests require Washington to pursue the development of a so-called "boost-phase defense"—high speed small rockets ("interceptors") that reach and destroy attacking missiles in their so-called "boost phase" before they release their package of deadly bomblets. Such rockets can be launched from planes, drones, ships or the ground.

In his talk with Clinton, Rabin stressed the importance to Israel of boost-phase de-

fense. Rabin is aware that nearly all the vital programs needed for such a defense in the early or near term have been sharply curtailed by Clinton's Pentagon.

Boost-phase defense has been affected by the \$2.5 billion of budget cuts in the SDI ("Star Wars") program. Petty interservice rivalries have also conspired to undermine this crucial defense system. In its battle for control over the smaller monies likely to be available, the Army is determined to focus its fiscal energies on Army-controlled, ground-based programs. The boost-phase defense favored by the Air Force seems destined to lose out.

This is true despite the fact that a top secret Defense Department study recently concluded that "cluster munitions" pose a dangerous near-term threat to U.S. and allied security interests.

It's hard to imagine that the Clinton administration would succeed in its effort to phase out such a program if the American people grasped the fact that it might well one day save the lives of thousands of innocent civilians and American troops stationed abroad.

COMMENDING SALLY DECHERT

Mr. WALLOP. Mr. President, I would like to bring to the attention of my colleagues the accomplishment of Sally Dechert, a senior at Shoshoni High School in Shoshoni, WY. Sally has been named the first place national winner of the 1993 Voice of Democracy Program and recipient of the \$20,000 T.C. Selman Memorial Scholarship Award provided by the Veterans of Foreign Wars and its ladies auxiliary. Sally is the daughter of Mr. and Mrs. Charles Dechert and was sponsored by VFW Post 6529 and its ladies auxiliary in Shoshoni.

The VFW of the United States and its ladies auxiliary sponsor the Voice of Democracy Broadcast Scriptwriting Program. The program is now in its 46th year and requires high school entrants to write and record a 3- to 5-minute script on an announced patriotic theme. "My Voice in America's Future" is this year's theme. Over 136,000 students participated in the program nationwide.

I am proud of Sally's accomplishment and of the fine script for which she has been honored. I ask unanimous consent that her work be printed in the RECORD so that others may be inspired by her words.

There being no objection, the script was ordered to be printed in the RECORD, as follows:

MY VOICE IN AMERICA'S FUTURE

Most of us are familiar with the fairy tale written by Hans Christian Anderson called The Emperor's New Clothes. In the story, a wealthy emperor is deceived by a pair of swindlers posing as cloth weavers. The two men convince the monarch to allow them to make him a suit out of their special cloth, which is invisible to those who are foolish or incompetent. In reality, there is no fabric at all. No one is willing to admit that he or she cannot see the "magic clothing," until finally, during a royal procession, a little girl points at the emperor and calls out that he

is naked. And suddenly, the public, too, realizes that yes, he is indeed naked. It took only one voice, the voice of a little child, to open the eyes of the people to the truth, and to make them realize how foolish and how gullible they had been.

Many times in our own society, it takes only one voice to point out the obvious, to arouse the public, to make a difference, and that voice may well belong to me.

What is my voice?

My voice is the means by which I convey my thoughts, my opinions, my beliefs, my wishes, even if I never say a word. Because it represents and expresses who and what I am, my voice is important.

My voice belongs to me and to me alone. It is mine to use as I choose, and it cannot, without my consent, be employed or controlled by anyone else. I have a responsibility to think and to speak for myself, and to ensure that the power of my voice is not surrendered to others.

My voice is my contribution to society, whether I am a blue or white collar worker, a farmer, a plumber, a teacher, a scientist, a student, or a hospital volunteer.

My voice represents the ideas of a new generation and the traditions of a passing one. High living standards, improved international relations, modern medicine, the fantastic notions of space exploration, satellite communication, and fiber optics are all contained in those ideas, as is the information explosion that has resulted from the curiosity and discoveries of innumerable men and women, both past and present. These ideas, however, are not without the influence of the traditional expectancies of responsibility, patriotism, and loyalty.

My voice is the conscience of this country. It promotes the responsibilities of citizens who must pay a price for their freedom. America's conscience is the driving force behind the judicial system, law enforcement, scrutiny of political candidates, social reform, and the heated debates concerning morality. Regardless of religion, America was based on the principle that God exists, and we are all, therefore, given a duty to do what we know is right, a concept that still permeates almost every aspect of American society.

My voice is the decision and the vote which control my government, from the smallest school board member to the President of the United States. My voice tells those who represent me what I expect of them.

The effectiveness of my voice comes not from sound, but from action. It is easy to stand on the sidelines and to cheer or to heckle, but then the importance of my voice is lost. In giving me a voice, the American government has also provided me with an opportunity to get involved in the political process that controls America. That involvement has many different forms: voting, taking responsibility for my freedom, making a contribution career-wise to society, holding government officials accountable for their actions, standing strong for what I feel is right, and being willing to run for a political office.

As we enter a new age, socially and technologically, America can function only through the action of its citizens. Like the little girl in *The Emperor's New Clothes*, my voice can make a difference if I am willing to stand up and to speak out, even in the face of criticism and ridicule.

What is the importance of my voice in America's future? Quite simply, my voice is America's future.

ARMENIA: THE TRAGEDY CONTINUES

Mr. PRESSLER. Mr. President, Armenians are facing some of the most critical days in their history. The Republic of Armenia faces unprecedented challenges. With the Nagorno-Karabakh conflict, the flight of more than 500,000 refugees from Azerbaijan, and the homeless victims of the 1988 earthquake, peace in the region remains distant.

Disagreements between Armenians and Azeris have frustrated mediation attempts and caused violence, bloodshed, and mutual expulsion of rival nationals. Since the December 1991 demise of the Soviet Union, the conflict has intensified. The casualties include more than 3,000 dead and are mounting daily. Recent escalation in tensions has created a dangerous potential for the conflict to spread, drawing in other neighboring countries.

As a result of Azerbaijan's blockade of Armenia, food and fuel are in desperately short supply. Such shortages are creating for the Armenians severe hunger, suffering, violence, and death. I support United States initiatives—accompanied by U.N. support—to resolve the political and diplomatic crises that darken Armenia's future. Those crises continue to risk prolonged military tensions throughout the Transcaucasus region.

Recently, along with several of my colleagues, I sent letters of concern to U.N. Secretary-General Boutros Boutros-Ghali, Secretary of State Warren Christopher, and Turkish Ambassador Nuzhet Kandemir. These letters are part of a growing congressional effort to help bring an end to the extraordinary human suffering now occurring in Armenia. In the days ahead, I will continue to pursue humanitarian efforts to thwart the tragedies in Armenia and the rest of the Transcaucasus region.

CONSUMERS DESERVE THE RIGHT TO KNOW

Mr. PRESSLER. Mr. President, on March 3, 1993, I introduced the Automobile Damage Consumer Protection Act. The bill would require car owners to report body damage over \$1,000 at the time of automobile title transfer. Such a disclosure would offer consumers an opportunity, protected by law, to know whether the vehicle she or he is about to purchase has been damaged. It sends a message to the customer—beware.

Why should damage be disclosed on automobile titles? The answer is simple. It is an economic and safety protection that every consumer deserves. If, for example, an automobile has been wrecked and rebuilt, there is a possibility that the vehicle has not been rebuilt to the proper safety specifications. If that were the case, it is pos-

sible also that the same vehicle might not be safe in a second accident.

Mr. President, would you not like to know whether a used vehicle you were about to purchase had been damaged? Should your safety and the safety of consumers all across America be compromised because some States currently do not offer some form of vehicle damage disclosure? The answers again are obvious, at least to me.

I urge my colleagues to study my bill, S. 485, which is based on an outstanding South Dakota State law. The law has worked in South Dakota. It would work even better on a uniform national scale. Mr. President, I ask unanimous consent that an editorial about the Automobile Damage Consumer Protection Act from the *Lake Preston Times* be printed in the *RECORD* at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the *RECORD*, as follows:

TITLE FRAUD BILL SHOULD BE ADOPTED

I think our national government needs to adopt a law which is already in place in South Dakota. The law concerns automobile title fraud.

Senator Larry Pressler has introduced a bill on the national level to protect consumers from automobile title fraud. In 1988, South Dakota passed a comprehensive automobile damage disclosure law. The law requires that individuals selling automobiles must present a disclosure statement on the title of the vehicle stating that it has sustained damage of \$1,000 or more. The law applies to all cars newly built within the last nine years.

CBS's 60 minutes presented a segment a couple of weeks ago concerning car dealers who have sold automobiles which had been repaired cheaply and/or shabbily. Many people have bought these vehicles without any knowledge that the car had been wrecked and rebuilt. People are being seriously injured and even killed, when these cars malfunction.

"Every day, many Americans unknowingly buy new or used cars that are rebuilt junk or salvage vehicles. If repaired improperly, buyers could face the risk of accidental death or serious injury, as well as increased medical and automobile repair costs," said Pressler.

He said this happens by automobile titles being "cleaned-up" or "washed" to avoid showing accurate damage history. This title washing costs consumers nearly \$3 billion each year, not to mention the emotional and psychological costs.

After banging up my own car this weekend, I found out that my car had already been painted one time when I had an estimate done. The body repairmen said I could have a hard time matching the paint since it had already been painted once. At this time, I don't know if my car has been wrecked before or if someone simply wanted a new paint job. But it is definitely something I would like to know and would have liked to know before I bought the car.

I think Pressler's bill is an excellent idea. I also believe that the disclosure statement stating the damage history should remain with car title throughout the lifetime of the car. I don't think one person should have to sell the car with a disclosure statement, then the person who buys the car be allowed to sell it without a disclosure statement.

The state of South Dakota should be commended for its current law concerning automobile title fraud. Pressler said the law works in South Dakota. It would work even better on a national scale.

POLITICAL CLIMATE IN CYPRUS

Mr. PRESSLER. Mr. President, I would like to draw my colleagues' attention to the situation in Cyprus. As ethnic tensions continue to worsen in Europe, Cyprus has not been immune. The current situation in Cyprus is becoming more and more unstable, and the warning signs of greater ethnic conflict are now apparent. If these tensions are not eased soon, they may erupt with devastating impact.

Mr. President, Cyprus, which gained independence in 1960, has been partitioned since Turkey invaded in 1974. The 700,000 Cypriots, 76 percent of whom are of Greek ethnic origin and 19 percent of whom are of Turkish ethnic origin, have been forced to live in a divided country. The United Nations has been maintaining a buffer zone between the two sides of the island. Today, some 25,000 to 30,000 Turkish troops prop up the illegal Denktash regime, known as the Turkish Republic of Northern Cyprus. This republic is recognized only by Turkey and comprises roughly 38 percent of Cyprus.

The latest round of talks between the two Cypriot regimes was held from October 28 until November 11, 1992. No real changes were agreed upon, and the minor agreements which were made have not been followed by constructive action.

In February of 1993, Glafcos Clerides succeeded George Vassiliou as President of Cyprus. President Clerides and Rauf Denktash have agreed to meet on March 30, 1993, to discuss the resumption of talks sometime after April 18, Greek Orthodox Easter. I support the continuation of United Nations sponsored talks between the two regimes. It is my hope that Denktash will return to the bargaining table in order to reach a positive settlement over issues of territory and resettlement of refugees in Cyprus. The hard line approach of Turkish-supported forces should be discouraged.

Turkish people themselves have been plagued by unprosecuted police and military torture and brutality. If the Turkish forces commit such actions against citizens of their own nationality, one must shudder at what atrocities might be committed against Greek Cypriots if ethnic tension continues on Cyprus. The time for a constructive solution to political unrest and ethnic rivalry is long overdue. We have seen what such tension has done in Yugoslavia. It must not be repeated in Cyprus.

Mr. President, I ask unanimous consent that an article from the Washington Post about Turkish police torture

and brutality be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 5, 1993]

THE CRIES THAT HAUNT TURKEY

(By Jack Healey and Maryam Elahi)

One year ago, Suleyman Demirel promised during his election campaign for prime minister that "the walls of all police stations in Turkey will be made of glass." Demirel acknowledged that torture existed in Turkey, but vowed to end it.

Today, Prime Minister Demirel's promise is shattered like a thousand shards of glass. Torture remains wide-spread and systematic in Turkey, especially during the first few days of detention in police stations. With interrogations carried out in complete secrecy by police who are rarely if ever prosecuted, it is no surprise that deaths in custody continued in 1992.

One such case is that of a 16-year-old Kurdish girl, Biseng Anik. She was among 100 people, mostly students, detained by Turkish police in Sirmak Province in southeastern Turkey in March 1992. She died in police custody. When her mother went to collect the body, she found that half her daughter's head had been shot away, her hands were torn between the fingers, some fingers were broken, and her flesh was covered with cigarette burns, cuts and bruises.

According to the official version of events, Biseng had not been tortured and had killed herself with a rifle she found in her cell. Despite public outcries, no independent inquiry was ever initiated on this case. The autopsy report was never released, and the family's request for a second autopsy was refused.

In another case, in April 1992, during a military operation in the Mardin Province, a group of soldiers, beat and dragged a 16-year-old boy out of his home between 4 and 5 a.m. The soldiers built a fire, and when it had burnt down, they laid the boy on the embers and forcibly held him down. The soldiers repeated this procedure five or six times, before they finally left him for dead. The boy managed to crawl to a road and was found by shepherds. Miraculously, he survived.

On April 27, 1992, Nazli Top, a 23-year-old nurse, was detained in Istanbul as she was leaving the hospital where she worked. The police suspected her of having been involved in a terrorist attack. She was taken to the police station where she was tortured, even though she told them she was pregnant. According to Nazli Top, "They punched me all over with fists, but especially in my stomach, breasts * * * cheon, and they tried to rape me with a bottle. In particular, they groped my stomach and said, 'Are you pregnant?' and then punched me there."

Who is held accountable for these brutalities? Are there public condemnations, prosecutions of torturers and compensations to torture victims? Unfortunately, Prime Minister Demirel has forgotten his campaign promise. His government has not taken the minimal steps required under international law to safeguard all detainees and punish the violating officers. These are haunting images of Turkey a decade ago, when Demirel was also in power and gross violations of human rights were taking place.

The Turkish government justifies many of its human rights violations as necessary evils to combat attacks by the Kurdish Workers Party (PKK) in southeast Turkey. Amnesty International does not deny the government of Turkey its right to respond to

violent assaults by the PKK or other violent organizations. But who protects citizens from the violence of the government?

Instead of working to comply with international law to honor basic human rights, Turkey has focused on improving its image abroad. For example, Turkey spends more than \$2 million a year on lobbyists in Washington, instead of conducting extensive trainings in human rights law for law enforcement officers and the judiciary. The government has taken additional cosmetic steps such as publishing a slick brochure entitled "Human Rights in Turkey: A Record of Improvement," establishing a commission and ministry of human rights.

None of these steps has resulted in reducing abuses and promoting human rights. In fact, the latest PR scandal is a judicial package that was passed by the parliament in November '92 and is being presented to the international community as a "reform," even though it provides no protection for political detainees who face the greatest risk of torture.

One year after Demirel's inauguration, the cries of torture still echo from behind closed doors at Turkish police stations. Those cries will stop haunting Turkey and the rest of the world only if Prime Minister Demirel finally honors his pledge to break down those doors and build walls of glass instead.

After a decade of dialogue, the United States needs to reexamine its policy toward Turkey and to genuinely prove to the people of Turkey that adherence to basic principles of human rights continues to be a fundamental pillar of U.S. foreign policy. Bill Clinton, the campaigner, declared that a principled, coherent and consistent foreign policy would guide a Clinton administration. "Such a foreign policy would not only reflect our national ideals but serve our national interest," he declared.

Let us hope for the sake of the people of Turkey that President Clinton's promises are less breakable than Demirel's.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. MURRAY). Morning business is closed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 1335, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1335) making emergency supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes.

The Senate resumed consideration the bill.

Pending:

(1) Byrd amendment No. 271, to reduce funds for the information systems of the Internal Revenue Service, to delete funding for the General Services Administration Building Fund, and to clarify that none of the funds may be used for low priority programs, projects or activities.

(2) Byrd amendment No. 272 (to amendment No. 271), in the nature of a substitute.

(3) Brown amendment No. 279, to prevent funds from being used to assist certain projects through community development grants.

(4) A motion to reconsider the vote by which the Senate failed to table Brown amendment No. 279, with a vote on the motion to reconsider to occur at 11 a.m., on Tuesday, March 30, 1993.

Mr. BYRD. Madam President, I ask for the yeas and nays on the pending motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 279

The PRESIDING OFFICER. The question occurs on the motion to reconsider the motion to table amendment No. 279, offered by the Senator from Colorado. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—52

Akaka	Feinstein	Mikulski
Baucus	Ford	Mitchell
Biden	Glenn	Moseley-Braun
Bingaman	Harkin	Moynihan
Boren	Heflin	Murray
Boxer	Hollings	Pell
Bradley	Inouye	Pryor
Breaux	Johnston	Reid
Bryan	Kennedy	Riegle
Bumpers	Kerry	Robb
Byrd	Kohl	Rockefeller
Campbell	Krueger	Sarbanes
Conrad	Lautenberg	Sasser
Daschle	Leahy	Simon
DeConcini	Levin	Wellstone
Dodd	Lieberman	Wofford
Dorgan	Mathews	
Feingold	Metzenbaum	

NAYS—48

Bennett	Faircloth	McCain
Bond	Gorton	McConnell
Brown	Graham	Murkowski
Burns	Gramm	Nickles
Chafee	Grassley	Nunn
Coats	Gregg	Packwood
Cochran	Hatch	Pressler
Cohen	Hatfield	Roth
Coverdell	Helms	Shelby
Craig	Jeffords	Simpson
D'Amato	Kassebaum	Smith
Danforth	Kempthorne	Specter
Dole	Kerrey	Stevens
Domenici	Lott	Thurmond
Durenberger	Lugar	Wallop
Exon	Mack	Warner

So the motion to reconsider the motion to lay on the table the amendment of the Senator from Colorado was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 279. The yeas and nays were previously ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—52

Akaka	Bryan	Dorgan
Baucus	Bumpers	Feingold
Biden	Byrd	Feinstein
Bingaman	Campbell	Ford
Boren	Conrad	Glenn
Boxer	Daschle	Harkin
Bradley	DeConcini	Heflin
Breaux	Dodd	Hollings

Inouye	Mathews	Riegle
Johnston	Metzenbaum	Robb
Kennedy	Mikulski	Rockefeller
Kerry	Mitchell	Sarbanes
Kohl	Moseley-Braun	Sasser
Krueger	Moynihan	Simon
Lautenberg	Murray	Wellstone
Leahy	Pell	Wofford
Levin	Pryor	
Lieberman	Reid	

NAYS—48

Bennett	Faircloth	McCain
Bond	Gorton	McConnell
Brown	Graham	Murkowski
Burns	Gramm	Nickles
Chafee	Grassley	Nunn
Coats	Gregg	Packwood
Cochran	Hatch	Pressler
Cohen	Hatfield	Roth
Coverdell	Helms	Shelby
Craig	Jeffords	Simpson
D'Amato	Kassebaum	Smith
Danforth	Kempthorne	Specter
Dole	Kerrey	Stevens
Domenici	Lott	Thurmond
Durenberger	Lugar	Wallop
Exon	Mack	Warner

So the motion to table the amendment (No. 279) was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the minority leader.

Mr. DOLE. Madam President, it had been my intent at this time to offer a motion to recommit that would strike out everything except unemployment compensation and the summer jobs provision and a pay for the summer jobs provision.

I notified the majority leader, as I always do, and he indicated he would exercise his right of prior recognition. Therefore, I will not proceed with the motion to recommit at this time. I understand the majority leader then would yield to Senator BYRD for him to proceed with his amendments.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. MITCHELL. Madam President, as all Senators know, under the rules of the Senate, the majority leader has priority recognition, and Senator BYRD notified Senator DOLE earlier this morning of his intention and desire to offer amendments relating to the subject matter that has just been discussed. And I indicated to Senator DOLE, as I always have when I notify him of these matters in advance, that, if necessary, I would use my right of priority recognition to offer the two amendments in behalf of Senator BYRD.

Senator DOLE, as he has indicated, has graciously agreed that it will not be necessary to exercise that right which does exist under the rules and which I do have the right to exercise. Therefore, Senator BYRD will offer the amendments as we have indicated.

Mr. BYRD. Madam President, I thank both leaders.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

AMENDMENT NO. 281

Mr. BYRD. Madam President, I send to the desk an amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 281.

Page 58, after line 26, insert the following:

SEC. . (a) Notwithstanding any other provision of law, for this Act, the Office of Management and Budget shall administer the obligation of all funds appropriated or otherwise made available by this Act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious programs, projects or activities are approved. The Director of the Office of Management and Budget shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the intent of this section.

(b) Subsection (a) shall become effective two days after enactment of this Act.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

AMENDMENT NO. 282 TO AMENDMENT NO. 281

Mr. BYRD. Madam President, I send to the desk an amendment.

The PRESIDING OFFICER. The clerk will read the amendment.

The bill clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 282 to amendment number 281.

In lieu of the matter proposed to be inserted, insert the following:

SEC. . Notwithstanding any other provision of law, for this Act, the Office of Management and Budget shall administer the obligation of all funds appropriated or otherwise made available by this Act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious programs, projects or activities are approved. The Director of the Office of Management and Budget shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the intent of this section.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. MCCAIN. Madam President, a parliamentary inquiry. I have a parliamentary inquiry. Does not the—

Mr. BYRD. I was recognized.

Mr. MCCAIN. The author of the amendment lost the right to the floor following the reading of the amendment?

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD. Madam President, does the Senator wish to make a parliamentary inquiry?

Mr. MCCAIN. Madam President, what this Senator really wants to do is assert his right, and that is to be recog-

nized after the amendment was read. That is what the Senator wants to do. If not allowed to do so, then this Senator has a parliamentary inquiry as to what the proper procedure is.

Mr. BYRD. Madam President, I yield not for a speech but I yield to the distinguished Senator for a parliamentary inquiry only.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona for a parliamentary inquiry.

Mr. MCCAIN. Madam President, is it not true after the amendment is read that then the sponsor of the amendment gives up his right to the floor and then this Senator has the right to be recognized?

The PRESIDING OFFICER. The Senator from Arizona is correct.

Mr. MCCAIN. I sought recognition, Madam President, and I would like to be recognized.

The PRESIDING OFFICER. In the opinion of the Chair the Senator from West Virginia was seeking recognition. I gave him that recognition, and he has the floor.

Mr. BYRD. Madam President, I thank the Chair and I thank the distinguished Senator from Arizona.

Madam President, as I stated during the debate last evening on the amendment by Mr. BROWN, the President has indicated that he has no intention of funding wasteful projects.

The Office of Management and Budget Director, in a letter to me, dated March 22, stated that the administration would work with the Appropriations Committees to ensure that no wasteful spending occurs from this act.

Additionally, the explanatory statement accompanying the committee substitute, as reported, contains language which expresses the Appropriations Committee's intention that no such wasteful spending occur.

The Senate itself, during consideration of this measure, has already adopted the Byrd-Hatfield amendment which gives the Secretary of HUD the authority to publish in the Federal Register such requirements as may be necessary to ensure that no wasteful spending occur in the Community Development Grants Program.

Under this amendment, that is now pending before the Senate, the Director of the Office of Management and Budget shall—shall—publish such requirements as may be necessary to ensure that no wasteful, unnecessary, or nonmeritorious programs, projects, or activities are approved. This amendment will ensure that no projects, programs, or activities such as that fictitious list of projects contained in the amendment by Mr. BROWN can be funded under this act. This amendment applies not just to the Community Development Grant Program but also to all funding contained in the entire act.

Under this amendment, the Office of Management and Budget Director shall

administer the obligation of all funds in this act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious programs or projects or activities are approved.

This amendment, as I have said, will ensure that none of the funds contained in the act may be obligated for any wasteful, unnecessary, or nonmeritorious programs.

So, Madam President, last evening, up to the developments at that point, the Secretary of HUD would have had the authority to publish in the Federal Register such requirements as may be necessary to ensure that no wasteful spending occur for the Community Development Block Grant Program. But, under this amendment, the director of OMB shall publish such requirements as may be necessary to "ensure that no wasteful, unnecessary, or nonmeritorious programs, projects or activities are approved" with regard to any of the funds in this act.

So this amendment broadens the authority and gives us additional and sufficient insurance that the funds in this act are not going to be spent for wasteful, unnecessary, and nonmeritorious projects. It puts in the hand of the OMB director the requirement that he shall administer the obligations of all the funds in the act—not just those under HUD, not just CDBG grants, but all funds in the act—in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious projects or activities are approved.

I hope that puts to bed, Madam President, the concerns of those—the legitimate concerns of those—who are fearful that funds will be spent for lists of programs which would never have been funded in any event, anyhow, under the CDBG programs.

This covers the whole act. It puts the authority in the Office of Management and Budget. It does not say that the OMB director may or that he shall be authorized. It says he shall—he shall publish and he shall administer.

So, Madam President, I urge the Senate to agree to the amendment and in so doing, hopefully, as I say, put to rest this effort to point to lists of wasteful spending—none of which, I repeat, are in the bill, have not been in the bill—and will allow us to proceed without further amendments of this kind.

Madam President, I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. HATFIELD. Madam President, I understand the chairman of the Appropriations Committee is offering this amendment in an attempt to be responsive to the 48 votes that we have cast here today twice in protest to those projects that were raised in the Brown amendment.

Madam President, one of the conundrums of politics, I suppose, is never

try to explain a complicated process. But I do feel it is important to get the process clearly in mind of where we are and how we got here.

This amendment does not change one iota the circumstance that we are in. It is intended to clarify, to make sure that nonmeritorious projects are not funded, as those projects were identified in the original Byrd-Hatfield amendment to the substitute.

We referred to those projects that had been raised in the House discussion and debates. We took action in an effort to try to make sure at that time that those projects would not be funded.

What were we referring to? We were referring to a document that was established by the President, in joint work with the mayors, where the President asked the mayors to provide him a list of projects that you could go to contract or you could go immediately to implement, if funded, to create jobs.

That list was developed by the mayors of this country—Republican mayors and Democratic mayors, alike. I do not believe there is a mayor in any city in my State—and I would venture to say in probably any State—that would deliberately offer a nonmeritorious project in response to the request of the President of the United States, to offer such projects to create jobs.

What we are saying here is a meritorious project is in the eye of the beholder. It is not going to change the OMB merely giving them an item here to administer. It would not change the office of any part of the executive branch of Government.

This is, hopefully, being understood, at least in part, that all of those projects may not be meritorious. Senator BYRD and I felt that those that we identified in our amendment were not meritorious. The majority of the Senate supported that overwhelmingly.

But, by the same token, 52 Members of this Senate have indicated twice today that they think that all of those projects listed in the Brown amendment are meritorious by that vote, because it is a parallel vote to the Byrd-Hatfield amendment offered immediately after the introduction of this bill.

I come back to the proposition: This is a subjective analysis, an evaluation. The eye of the beholder determines the meritorious character of these projects.

So we really have not moved one iota away from the situation we were in, processwise, before this amendment has been offered, notwithstanding the good intention, the good faith in which the chairman of the Appropriations Committee has offered this amendment to allay the fears of some of the 48 people who said we do not think those projects are meritorious.

It is another level of action in the executive, but it does not change one bit

the proposition that any one of these projects in the Brown amendment is other than meritorious. Fifty-two Members of this Senate said they were.

I have heard on our side of the aisle that maybe this is just an effort of the 52 to atone for their vote on the Brown amendment, by having this amendment. I am not going to make any judgment on that, but that certainly, I am sure, by those who observe the political process, could be called that kind of an amendment.

Knowing the chairman as I do, and working closely with the chairman, I know he is always attempting to make a substantive effort to correct or clarify a question or an issue.

But I must say, the bottom line is, we are still in the same position in this process of making a determination on the list as referenced to the projects asked by the President and responded to by the mayors of this country.

It is somewhat analogous when we say of a western water project that Presidents, Democrat or Republican, are always asking for line-item vetoes to cut out the pork. But 99 percent of the time those projects do not appear in the bill. They appear in the reports of the committee to the bill. A line-item veto does not get to that in an appropriation measure. We are, in a sense, saying, "Well, that list referenced by the mayors has no bearing because they are not in the bill."

No, they are not in the bill, any more than the water projects in the West are in an appropriation measure. But they are in a report document, as these are in a mayors' Presidential document, and they are a reference point, whether it is the OMB or the Secretary of HUD or anybody else.

So, having attempted to explain the process, I just want to say that this amendment does not change the situation for me, as one of the 48 people that wanted to strike these pork projects out of this as nonmeritorious.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona.

Mr. MCCAIN. Madam President, before I speak on the amendment I would like to express my disappointment over my failure to be recognized by the Chair. I will be glad to review the tapes, which I am sure that I have in my office that—I asked for recognition before the distinguished manager of the bill and I regret this kind of violation of the rules of the Senate, of which the manager of the bill is a most zealous guarantor. I believe that I was—I believe that the tapes will show that I sought recognition in accordance with the rules of the Senate and spoke first.

So, if the distinguished manager of the bill, the distinguished chairman of the Appropriations Committee, would like to comment on that I would be

glad to yield to him for purposes of answering the question.

Mr. BYRD. Will the Senator yield without losing his right to the floor? Madam President, does the distinguished Senator yield without losing his right to the floor?

Mr. MCCAIN. Yes, sir.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Madam President, I rise only to defend the Chair. The Chair has no right to speak, except to state the outcome of votes, to maintain order in the Senate and in the galleries, and make certain announcements. And so the Chair is defenseless, as the occupant sits in that chair.

May I say, in the Chair's defense, and in response to the statement of the distinguished Senator, that when several Senators seek recognition it is the Chair's decision that is not to be appealed and that holds.

I sought recognition also. I am always very careful when I seek recognition not only to be heard but to be seen. And, as the manager of the bill, I have the right, following the minority leader and the majority leader, to be recognized. And I was not tardy in my seeking recognition. And I am standing right in front of the chair. I not only spoke but I also indicated my desire to be recognized.

The two leaders had already, as I understood it, indicated that because of the rights of recognition I would be permitted to call up the two amendments. I had indicated earlier to Mr. DOLE that I had two amendments that I wanted to call up, and the majority leader made it clear he was supportive of my offer of those two amendments. Mr. DOLE understood I was offering two amendments, and Mr. DOLE indicated that because the majority leader has the first right of recognition, it would be pointless to seek to contest the majority leader. And so both leaders agreed that I would offer the two amendments.

I am sorry that the distinguished Senator from Arizona feels that his rights have not been upheld. But the Chair, when several voices are resounding in the Chamber and all of the other noise, the Chair does its best to recognize the Senator who first seeks recognition and the Chair did that in this instance. And the Chair's decision, in any event, can never be appealed. The Chair exercises its discretion as to which Senator sought recognition first.

I merely say these things in defense of the Chair. I think that the Chair is doing an excellent job. As the Senator from Arizona knows, the new Senators have to take their turns first in the chair when they come to the Senate, as the Senator from Arizona did when he first came to the Senate. I believe he came when the Republicans were in the control of the Senate.

In any event, this is the way that rules and precedents have always guid-

ed us. I thank the distinguished Senator for yielding and I will not seek to speak further.

The PRESIDING OFFICER (Mr. BREAUX). The Senator from Arizona.

Mr. MCCAIN. I do not want to drag it out, Mr. President. But I think—I was not saying that the Chair was being unfair. As I said, I think that the record—televised record of these proceedings will show that I did seek recognition first and was not granted it. I certainly do not fault the Chair for that, but I think facts are facts and will speak for themselves.

On the issue of this amendment by the distinguished chairman of the Appropriations Committee that is before the Senate at this time, frankly it is rather an astonishing one to me. Because as I read this, this amendment, I find the language something that I have been seeking for a long time. Only not for the Director of the Office of Management and Budget, but for the President of the United States.

It says that:

The Office of Management and Budget shall administer the obligation of all funds appropriated or otherwise made available by this Act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious programs, projects, or activities are approved. The Director of the Office of Management and Budget shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the intent of this section.

My friend from Colorado talked about pork being in the eye of the beholder. Obviously, the beholder, now, will be the Office of Management and Budget, not the President of the United States. This amendment, if adopted, will give enormous power to the Office of Management and Budget and, frankly, I have some concern about that because I think this kind of authority to determine which projects are wasteful and unnecessary, nonmeritorious—that responsibility, in my view, should rest with the President of the United States, not anyone lower down, because the Directors of the Office of Management and Budget as we all know are not elected officials. They are not chosen by the American people to make these decisions.

So I have to say, this is an astounding amendment to me, the way I read it. I am sorry I did not know this amendment was going to be proposed. I would have had some scholars look into the impact and meaning of this amendment. But the way I read it, having just had a chance to examine it, it has far-reaching and profound consequences. What this amendment says, as I read it, is that the Office of Management and Budget, as it says, will be administering—"will ensure that no wasteful, unnecessary, or nonmeritorious programs, projects, or activities are approved."

So now we will have the Office of Management and Budget decide which

is meritorious, which is unnecessary, which is necessary, and which is wasteful—a very astounding, in my view, concession of power to a nonelected person and persons in the Federal Government.

So I will have to examine this amendment further before it is voted on, since I hope there would be other comments on this amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I rise today in strong support of the President's economic stimulus package and the amendment put forth by the Senator from West Virginia.

When I was in high school, I never dreamed I would become an elected official, much less a U.S. Senator. I always thought Senators had to be tall and rich and male. It is funny how many people in this country still believe that. But my parents always told me that the little guy was just as important as the big guy. And I believe that.

I understand how easy it is to sit in this Chamber and forget that America is made up of little guys. It is easy to forget—in the numbing glare of these television lights—that our actions affect millions of citizens across this country. We read the newspapers and study the politics. But do we all hear the call from across the country to stop business as usual and end the gridlock?

The previous administration said: "Trust us. The recovery is just around the corner. Jobs are growing." That might be true for part-time, low-wage, low-skill jobs. But it was not true, and is still not true, for highly skilled, good-paying jobs. Try convincing those workers about to be laid off by Boeing, IBM, or Sears that the economy is in good shape, and that it will be easy to find a comparable job.

Try convincing States and counties that the recession has ended. County governments which are responsible for providing everything from roads to health clinics to police protection are hurting.

In my State of Washington, unemployment is rising. In the county of Gray's Harbor, nearly one of every five workers is unemployed. In Skamania, another timber-dependent county, unemployment is over 30 percent. The residents of these counties are counting on the economic program before us.

In many of our cities, the feelings are the same. Not long ago, I visited Lincoln High School in Tacoma, WA. It is a tough school. When kids there go home at night, they do not debate whether earning \$200,000 a year makes you rich. They do not make points of parliamentary inquiry. And they do not talk about economic theory. They worry about tomorrow.

When I visited the school, I said: "What can I do in Washington, DC, to

help solve the problems of gangs and violence and drugs?" Heather Jones, and students like her, told me to create jobs. They said even if they had the money to go on to college, they did not believe they would get a job when they were done. They said to me: "Why not be in a gang, at least there someone cares about me."

Hope has gone out of our children's lives. The economic plan that we are debating today gives Heather and her friends a reason not to join a gang. It gives them opportunities and hope for the future and a stake in our society instead of a future that is darkened by poverty and violence.

For the first time in a decade, there is an administration that understands the problems Heather is facing. This plan will give 680,000 kids summer jobs. These kids cannot wait for this plan to be put into action, and I cannot either. I cannot wait to go back to Lincoln High School after this passes and tell those kids, "Yes, you will have a chance for a summer job." And I cannot wait to tell their parents, "Yes, your children will be vaccinated." And I cannot wait to say to those kids, "Yes, you should go to college because if you put in the time and the energy, there will be jobs waiting for you." And I will say, "Yes, you are paying taxes, but look what you are getting in return: improved highways, safe streets, and a healthy country."

For years, Americans have been paying and getting little in return: waste, abuse, and the rich getting richer. People in this country are desperate. Look at the state of the American family, and then tell a poor mother that WIC is not an emergency. Tell a person living with AIDS that Ryan White funding is not an emergency. Tell a child trying to learn that Head Start funding is not an emergency. Tell a child whose parents cannot afford it that immunizations are not an emergency. And tell that child's classmates that the child who has not been immunized is not an emergency. Tell our Nation's 1.8 million jobless that unemployment benefits are not an emergency.

It is easy to forget about the little guy, Mr. President, but I cannot. You see, the highest paying job I had before I came to Washington, DC, paid \$23,000 a year. I know what it is like to fear losing my job. I know what it is like to fear losing health care benefits. I know what it is like to tell my kids, "You can't have what you want." I know what it is like not to be able to go to my bank account and take out a hundred extra dollars for an emergency. I know what it is like to hope that the bills come late because the money is not there to pay them. And I also know firsthand the value of the programs in this bill.

During the Reagan years, I was teaching preschool. I hear all the time from some of my colleagues that they

are captains of industry and experts in creating jobs because they have owned businesses. I am grateful for their advice and economic wisdom on fiscal policy. But, Mr. President, I am an expert in the programs that we are debating today, and I hope they consider my counsel when voting for this measure.

I know that children of low-income families need full year Head Start because they suffer a great loss of school-related skills over the summer. Full-day, full-year Head Start services are essential to many families who cannot use Head Start because their parents work full-time. Head Start cannot serve the educational needs of children if it does not fit the job schedules of the working poor. We must fund fully Head Start to provide full-year, full-day sessions, and we must do it now.

I understand that we have to balance our checkbook, and I understand that if we do not have the money, we should not spend it. But it perplexes me that the opponents of this bill laugh when we say that funding for WIC or Head Start are investments. It perplexes me because the opponents of this package seem to contradict themselves. Last week in the Banking Committee, I heard my colleagues argue that the taxpayers of the United States should give the RTC another \$45 billion. If we do not do it now, it will cost us later, one of my distinguished Republican colleagues argued. But these same Senators reject the very same arguments for Head Start and WIC and immunizations. It does not make sense to me that they can argue that putting \$150 billion into cleaning up the banking industry is an investment, but spending \$75 million for WIC is not.

There are children in this country who go to bed every night scared, hungry, and sick. They live in hopeless neighborhoods riddled with violence. They grow up with no dignity and no sense of self-worth, and the opponents of this plan would have us believe there is nothing we can do about it? How can we reject funds for jobs and education to ease the pain? How can we be so cruel?

Mr. President, I have not been here long, but I am learning what we can do. If this body will unflinchingly vote for RTC funding, certainly we can pass a stimulus package to get this country moving again, or I guess we can continue to debate and filibuster. It is easy to forget the pain felt by little guys. But change is inevitable. The American people have mandated it. We can pass this package and change history for our country or we can sit here and be swept away by it.

Like all Americans, I know I have to pay my taxes. It is the cost of living in a civilized country, but I want to know I am getting something in return. That is the benefit of living in a civilized country.

Mr. President, this program is the triumph of the American spirit. A

young new President arrived in Washington, DC, this year as an agent of change. He does not believe in business as usual, and neither do I. It has not worked.

I urge my distinguished colleagues who sat in this Chamber for so many years to hear the call of help from the American people and to understand that we cannot any longer ignore the call of help from the little guys. Thank you.

(Disturbance in the Visitors' Galleries.)

Mr. BYRD. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER. Order in the galleries. There will be no outbursts in the galleries. The Senator from West Virginia.

Mr. BYRD. Mr. President, in Plutarch's *Life of Alexander*, Aristotle said of Callisthenes, "His eloquence, indeed, is great, but he wants common sense." I have listened to the speech by the distinguished junior Senator from Washington. She has made a speech that is succinct, cogent, and persuasive, and it contains common sense. She spoke with poise, with confidence, and with high dedication to purpose. She is having an impact on the work of this Senate and I, again, congratulate her.

Mr. FORD. Mr. President, I ask unanimous consent I might have a couple of minutes without the distinguished President pro tempore losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FORD. I thank the Chair and I thank my distinguished friend.

Let me just say to my colleague from Washington, I was watching her on television and had to come to the floor to really see and get a better feel. She talked about little people, but she made a tall speech. I think if people were unable to watch the Senator today, and could go to the RECORD now and read the Senator's remarks, the Senator has talked about America and what it is all about. The Senator has talked about family. The Senator talked about struggle. I am a little older, and I talk about my children and my grandchildren and their struggle. How important it is for both of us that we arrive at the same results.

I think the distinguished junior Senator from Washington has said what you ought to listen to. I think the frivolous things we have been watching and listening to in the last few days are an insult to the American people. We stand here on this floor and we offer amendments that are "the phantom of the opera" it was called last night. Oh, they can get smart and snide. But when they listen to remarks that contain common sense, from someone who has been there, who understands, I would hope we could move on.

We hear these big speeches about how great the President is, how great he is at opening the doors and we are going to move forward, but I am not for him. I am going to vote against him.

Somewhere along the way, we are going to have to say this is it. This is where we are going.

The frivolous amendments, the statements that are made, let us just refer them to the speech of the junior Senator from Washington. I hope not a moment will pass that we can have the opportunity to put into place the thoughts, the desires, the hopes, and dreams that we all have which were so eloquently stated by the junior Senator from Washington.

I thank the Senator.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I ask unanimous consent that the letter from Leon Panetta, the Director of OMB, to which I referred earlier today, be printed in the RECORD at the conclusion of my remarks; that following that letter the statement which was included when the Senate Appropriations Committee reported the pending bill, included at the request of Mr. HOLLINGS, be printed in the RECORD; and that the verbiage of the Byrd-Hatfield amendment, to which we have already referred a number of times, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, March 22, 1993.

Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: During debate in the House of Representatives on H.R. 1335, numerous assertions were made that the President's economic stimulus program earmarked funds for what were characterized as wasteful, low-priority projects. First, let me respond by saying that none of the specific projects referenced are actually in the legislation proposed by the President. It was the opponents of the stimulus legislation who developed the list of possible recipients of assistance.

In designing the economic stimulus program, the Administration emphasized programs of real merit that would produce jobs. The Administration is committed to careful oversight of the stimulus program.

Let me assure you that the Administration does not support funding for any of the types of projects that the opponents of the legislation speculated would be funded. The Administration will work with the appropriate members of the cabinet and the Appropriations Committees to insure that stimulus funding is used only for programs of merit and that low priority projects of the type discussed in the House will not be funded.

Sincerely,

LEON E. PANETTA,
Director.

LOW-PRIORITY PROJECTS

During House of Representatives debate on H.R. 1335, numerous assertions were made

that the President's economic stimulus program earmarked funds for lower priority projects. Included were such items as: (1) community development grants for golf courses and cemeteries; (2) fisheries atlases and studies of the sicklefin chub; (3) construction of whitewater canoeing facilities; and (4) payments for a National Oceanic and Atmospheric Administration class VI computer.

On March 22, 1993, the Director of the Office of Management and Budget wrote to assure the Committee that these type of low-priority projects were not proposed in the legislation submitted by the President and would not be funded. The Director committed to work with Cabinet members and the Appropriations Committees to ensure that economic stimulus funding is used only for programs of merit and not for the type of projects discussed during House debate.

SEC. 203. (a) None of the funds under the head "Community Development Grants" in this Act may be used to assist a golf course or cemetery project that would otherwise be eligible for assistance under section 105(a)(2) of the Housing and Community Development Act of 1974, as amended: *Provided*, That the Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the provisions of the appropriation under this heading.

(b) None of the funds provided under this Act may be used to support whitewater canoeing facilities on the Ocoee River, fisheries atlases and studies of the sicklefin chub, and payments for a National Oceanic and Atmospheric Administration Office of Oceanic and Atmospheric Research class VI computer.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I understand the distinguished Senator from Missouri [Mr. DANFORTH] wishes to speak on the amendment. I ask unanimous consent that upon completion of the speech by Senator DANFORTH, the Senate stand in recess under the order previously entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair recognizes the Senator from Missouri.

Mr. DANFORTH. Mr. President, the issue that is before the Senate is a fundamental issue. This is not a frivolous issue. The issue goes not to minor details. It goes to the whole point of the President's economic program and the whole theory that tax and spend is the way to fix an economy.

Just to review the situation very briefly, the Senator from Colorado [Mr. BROWN] offered an amendment last night to delete from the appropriations bills funds sufficient to pay for a variety of programs that had been designated by the Secretary of Housing and Urban Development as proper programs to be paid for by this appropriations bill.

Senator BROWN said that we should delete about \$100 million, a little more than \$100 million of real spending. He said that we should not spend the taxpayers' money for the programs that he enumerated, and they include a tennis court resurfacing project, various

swimming pool renovations, an aquatic facility, a boat house, a soccer field.

Senator BROWN said very simply, whatever the merits—a boathouse, a soccer field—these are not emergencies. These do not justify breaking the budget. Construction of an ice skating warming hut, according to Senator BROWN, is not an emergency. It does not justify this kind of spending program. A golf course should not be the heart of an economic stimulus package. It is not an emergency. A marina development, a basketball court in St. Charles, MO, my State. I am all for basketball and I am all for St. Charles, MO, but it is hardly an economic emergency or a meaningful part of a stimulus package.

Well, during the debate, we were told in essence please do not pay any attention to anything that the Secretary of Housing and Urban Development said, because these are mere details and they are not actually in the bill.

That argument, as I understood it, Mr. President, was let us not worry about for what we are spending money. We are going to spend money for something. Just do not take the money out of the bill, and we will figure out something useful on which to spend it.

The main object of a tax-and-spend view of economics is do not be precise about what you are spending for, just spend it, get rid of the stuff, get rid of the money, dish it out, drop it from airplanes, if you want to, whatever. Just accelerate the process of taking the money out of the pockets of taxpayers and spending it on anything at all.

Senator BROWN prevailed, and today it was opened up again. And we finally tabled, by a vote of 52 to 48, the Brown amendment deleting the swimming pools and the bike paths and the golf courses, and all the other things that were called part of an emergency package.

Now we have an amendment that has been offered by the distinguished chairman of the Appropriations Committee, and this amendment says, well, we do not really know on what we are going to spend money. We are not sure. We know that we want to spend money on something, and therefore we will rely on the executive branch; we will rely on the administration, on the Office of Management and Budget, simply to tell us that whatever it is we decide to spend it on is going to be meritorious.

That is the present state of affairs. That is the assurance that is now being offered to the American people: Trust us.

There used to be a radio character on KMOX radio in St. Louis named Miss Blue, and Miss Blue's famous trademark statement was, "All is well." This is an "all is well" amendment. This is the administration assuring us that if we give a blank check to spend money, it will be spent for some useful

purpose—hardly the stuff of an emergency program, Mr. President, hardly the stuff of a significant economic program either.

This is tax and spend. This is the largest tax increase in the history of the country, which we agreed to in the budget last year, followed up in short order by spending on who knows what, but please rest assured that whatever it is, it will be a good cause, so certified by none other than the administration itself.

I yield the floor.

RECESS UNTIL 2:15 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 12:28 p.m., the Senate recessed until 2:17 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. CONRAD].

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

ORDER OF PROCEDURE

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate for 3 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

BAXTER INTERNATIONAL

Mr. GRASSLEY. Mr. President, last week was a triumph for the dedicated lawyers in Chicago's U.S. attorney's office. They worked tenaciously for more than 2 years investigating how Baxter International, the world's largest supplier of medical equipment, managed to get itself off the Arab boycott list. Prosecutors concluded that Baxter violated the U.S. antiboycott law, and last week Baxter pleaded guilty, agreeing to settle for more than \$6 million. Baxter will also pay a criminal penalty, making this the very first time criminal boycott activity was found by prosecutors.

The case was first brought to the attention of Federal authorities by Dr. Richard Fuiz, a former executive with Baxter. He revealed that in 1988 Baxter closed down a facility in Israel and then in 1989 was delisted from the Arab boycott and thus certified to do business in Syria.

The Commerce Department, the agency which is authorized to investigate violations of the antiboycott law, failed to pursue the Baxter investigation aggressively. As a result, some courageous Commerce investigators brought the case to the attention of the Justice Department for criminal investigation. Here is one more example of loyal public servants who toil

within the bureaucracy fully understanding the public trust that they hold.

Baxter officials and senior Government officials may have preferred a coverup, but the hard work of the Commerce investigators and the U.S. attorney's office prevented that coverage from happening.

In spite of the November 1990 internal investigative report in which Baxter proclaimed its own innocence, Baxter will now pay \$500,000 in criminal fines and some \$6 million in civil penalties for its wrongdoing.

In addition, one senior Baxter official will pay \$100,000 in fines for his handling of negotiations with the Syrian Government to get off the Arab boycott list. I would have preferred tougher penalties and those responsible put in jail.

Nonetheless, this sets a precedent and a deterrent and, of course, shareholders and the board of directors of the company may go further.

Mr. President, we are the only Western nation that outlaws compliance with the Arab boycott. To its credit, Germany has enacted a similar law that will take effect next month. But the rest of our trading partners should do the same.

Treasury Secretary Bentsen said during his confirmation hearings he will press this issue whenever he meets with the Finance Ministers of the G-7 countries. I urge President Clinton to do the same with the leaders of our allies and trading partners as well.

The Arab boycott is a trade barrier. It distorts the marketplace. Last year, U.S. Trade Representative Carla Hills included some very basic information about the Arab boycott in the 1992 National Trade Estimate Report to Congress.

That was a good beginning, but more information should be included about the economic costs of this corrupting activity by the Arab League. That is why later this week, I am joining Senator LAUTENBERG in introducing a bill that will seek more detailed information about the boycott in the Trade Representative's annual NTE Report to Congress.

We can and should do more to work toward an end to the Arab boycott.

Again, Mr. President, I commend the efforts of the Justice Department and the Commerce Department investigators in their success on this case.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to address the Senate as if in morning business.

Mr. GRAMM. Mr. President, reserving the right to object, for how long does the Senator plan to speak?

Mr. BAUCUS. I ask consent to address the Senate as if in morning business for 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE "SPECIAL 301" TRADE LAW

Mr. BAUCUS. Mr. President, on April 30, U.S. Trade Representative Mickey Kantor is scheduled under our Special 301 trade remedy law to release the USTR's annual list of priority foreign countries. With the deadline just a month away, I rise today to discuss the importance of intellectual property to the American economy, and our efforts to fight overseas piracy of that property with Special 301.

BACKGROUND

Intellectual property products are creative works. Some of them require no more than a pen and ink to create; others demand mastery of the most advanced technologies and sciences of electronics, optics, advanced materials, and more.

These products are broadly divided into three types: copyrighted works like books, films, sound recordings, and computer software; patented products like pharmaceuticals and mechanical inventions; and trademarked goods like designer clothes, shoes or other products differentiated by a brand name or symbol.

These works differ greatly from one another in kind, sophistication, price and in other ways. But they have one thing in common. They are hard to invent and easy to copy.

It is very hard to create a work of intellectual property. Computer software, for example, demands extraordinary technological sophistication, knowledge of specialized computer languages, and many other qualities. It takes years and millions of dollars in R&D to develop. But a 3-year old can copy their work. It takes seconds and costs nothing.

Likewise, writing a novel demands hard work and creativity. To copy the same novel, you need only a printing press and a weak sense of ethics. The same applies to films, sound recordings and other copyrighted products, and to trademarked goods as well.

Creation of patented products is equally demanding. Pharmaceuticals, agricultural chemicals, and innovative processes or machines demand technical competence and heavy financial investment to invent, perfect, and bring to market. It is much easier and cheaper to copy them than to do the hard work necessary to create your own patent.

THE PROBLEM OF PIRACY

The United States leads the world in these fields. Intellectual property, along with agriculture and aerospace, ranks as one of America's three most successful export industries. American film and television programs generate a \$3.5 billion trade surplus each year. American pharmaceuticals generate a

\$1 billion surplus. American computer software leads the world in technological sophistication, and dominates world markets.

Few industries anywhere in the world are this successful. Unfortunately, the piracy industry is one of them.

Piracy is the unauthorized copying and sale of copyright or patented products, or unauthorized use of a trademark. Pirates all over the world—in every continent but Antarctica—copy, mass produce, and sell U.S. intellectual property works including films, videos, sound recordings, books, medicines, agricultural chemicals, Mickey Mouse T-shirts, Reebok shoes, CD's, and computer software.

It may seem odd to use the term "piracy" for this. The word conjures up images of eye patches, pistols, wooden legs, and the Jolly Roger. But it is hardly an exaggeration. The economic damage these pirates do to our country is far worse than anything Bluebeard or Captain Kidd ever dreamed of. Several years ago, the International Trade Commission estimated that they cost America somewhere between \$43 and \$61 billion in exports every year. Using a rough rule of 20,000 jobs per every billion dollars of exports, that means as much as a million jobs.

Modern pirates can also be just as violent as the pirates of the 17th century. The American recording industry gives us some examples. They tell us that audiocassette pirates in Paraguay—who until very recently controlled 98 percent of the national sound recording market and sold at least 2 million cassettes a month to neighboring countries, costing U.S. recording artists and companies \$200 million in 1992—have threatened their opponents with death. Representatives of the U.S. recording industry in Bangkok closed their offices after receiving bullets with their names on them in the mail.

NEED FOR FIRM U.S. ACTION AGAINST PIRATES

Piracy is already a devastating problem for U.S. firms and workers. And unless we fight it, it will get worse every year. Many copyright and patent products—software is an example, pharmaceuticals are another—are more advanced every year. They demand more technical skill, and they require more R&D. But they do not get any harder to copy. Thus, pirates can make more money by stealing them.

In 1988, we created the Special 301 section of our trade law to fight piracy and ensure protection of intellectual property rights abroad. This law requires the U.S. Trade Representative to compile an annual list of countries which allow the most egregious piracy of U.S. intellectual property, the most inadequate legal protections for intellectual property rights, and whose markets are least open to intellectual property products, and to designate these as priority foreign countries.

Once this list is published, Special 301 directs the USTR to negotiate

agreements to address the problems within 6 to 9 months. If pirate countries refuse to reform, it authorizes retaliation against the exports of the offending country.

USTR also uses Special 301 to place countries which allow lesser degrees of piracy on a priority watch list and a watch list. This warns them that we are aware of their dereliction, and that consequences will follow if they do not act.

THE RECORD OF SPECIAL 301

Over the past 4 years, Special 301 has proven a tough and effective law. Some examples:

The American film industry once sold no films in Indonesia. Every single U.S.-made film sold or shown there was a pirate edition. The situation today, 2 years after USTR placed Indonesia on the watch list, is not perfect. But it is better; Indonesia has reformed its laws, and is opening the film and video markets.

Recent reports indicate that the threat of action under Special 301 has forced action against the audio cassette pirates in Paraguay. It led the Governments of Canada and New Zealand to upgrade their pharmaceutical patent laws, and induced the Argentina Government to consider a similar step. It forced the Government of Korea to improve its patent law and prosecute software pirates.

Special 301 also proved effective in China. After naming China a priority foreign country in 1991, negotiators from USTR, the State Department and Office of Patent and Copyright won strong copyrights protections for computer software and sound recordings in China, as well as patent protection for agricultural chemicals and pharmaceuticals.

Our experience with Special 301 carries several important lessons. First, negotiations work best when the United States sets priorities and deadlines. Special 301 requires USTR to target the worst violators of U.S. rights and puts time limits on the negotiations. The deadlines force decisions, and the threat of retaliation makes sure they are made.

Second, the United States must be willing to stand up for its rights. The Chinese talks are a good example. Faced with retaliation against their exports, the Chinese agreed to shape up. They passed a new and credible copyright law, and have begun to enforce it. We must, of course, watch the enforcement carefully, but we have made a great deal of progress.

NEW SPECIAL 301 DECISIONS

Pirates do not go away by themselves. And if we do not keep the pressure on, they will return to its old havens. Thus, with the 1993 list due out on April 30, the USTR's task this year is no easier than before.

Copyright, trademark and patent industries all cite Thailand—listed as a priority country in both 1991 and 1992—

as one of the most egregious offenders. They have been pushing for action against Thai pirates for 8 full years, but report that they have seen no measurable progress.

No major pirates have yet been convicted, although some have pled guilty and received minimal fines ranging up to \$1,700. And reports indicate that Bangkok pirates are clambering up the technological boarding ladders to raid new markets and plunder higher value products like CD's. Trade associations representing the American copyright and trademark industries thus believe the time has come to retaliate against Thai exports unless there are immediate and drastic improvements.

Taiwan is another long-time offender, which the USTR cited as a priority country last year. Copyright industries report widespread piracy of computer software, CD's pirate broadcasts and other products. Losses to these industries due to Taiwanese pirates totaled \$669 million in 1992—the largest loss in any country in the world. Both the copyright and trademark associations have called for retaliation against Taiwan this year.

Italy is a center for video, sound recording, and software piracy, and also for unauthorized use of American trademarks—a remarkable irony given the value of name recognition to Italian companies. United States industries estimate that Italy's pirates, in fact, rank second only to Taiwan in the losses they cause the United States: \$500 million last year.

India is cited for piracy and inadequate legal protection by copyright, patent and trademark industries. Parenthetically, India, which was cited as a priority foreign country in both 1991 and 1992, also has played the most obstructionist role of any country in the world at the Uruguay round negotiations on intellectual property. Poland and Turkey are cited for piracy by almost every sector of the intellectual property industry. The new Government of Brazil suggests weakening its already inadequate patent protection for pharmaceuticals.

New and serious problems are developing in Russia and other former Soviet Republics, which have poorly developed patent and copyright laws, and weak law enforcement in any case. Saudi Arabia, Bahrain, and the United Arab Emirates—the wealthy oil-producing countries of the Persian Gulf—are notorious for failure to protect American copyrighted goods. Illegal copying of American computer software continues in Germany and Korea.

CONCLUSION

Mickey Kantor, our new USTR, has a difficult task. But I know he will take a tough, aggressive and ultimately successful stance on intellectual property as in other trade issues. American intellectual property industries, and the jobs of the people they employ, are vul-

nerable. They depend on strong American action to defend them against piracy, and Special 301 gives it to them.

The PRESIDING OFFICER. The Senator's time has expired.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, does the distinguished Senator from Texas wish to speak in morning business?

Mr. GRAMM. If the distinguished Senator would yield, I would simply like to debate the Byrd amendment. If I could, I would like to be recognized in my own right. But I have no intention of moving to table it and it cannot be amended, since the distinguished Senator filled up the amendment tree.

Mr. BYRD. Mr. President, I yield the floor.

I thank the distinguished Senator.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I rise in opposition to the Byrd amendment.

I would like to begin by defining how we came to this spot in the legislative process. I would like to talk about what the pending bill before us does and the decisions that we have made to this point. I would then like to talk about the Byrd amendment and why I oppose it.

I thank the Chair for his recognition.

Mr. President, we are, through an extraordinary set of circumstances, debating a bill that, if adopted this week, will spend more money than we will save—with the adoption of the budget that we approved last week—through 1997.

Let me say that again. If we adopt this bill, and if it subsequently becomes the law of the land, we will in one vote approve more new spending than the total of all nondefense savings achieved through the end of 1997 that were contained in the President's budget that we adopted last week.

It is, perhaps, an incredible paradox of the legislative process that, throughout last weekend, some Members of the Congress and the President pounded their chests and talked about a hard choice we had made on the budget, talked about the progress we had made, when, in fact, here we are on Tuesday voting on a spending bill that will spend more than the accumulation of all those savings contained in that budget through 1997.

But there is something that is even more incredible, Mr. President, and that is, technically, this bill violates the law. We have currently in place a spending limit on discretionary spending that was adopted in 1990. The American taxpayer paid roughly \$150 billion of new taxes. In return, what

the taxpayer got was a guarantee from the Congress that we would put a cap on spending, and that cap would be in force through 1994.

In fact, the law says that if we violate that spending cap, the amount that we spend over it will be cut across the board from other discretionary spending programs. That was the enforcement mechanism, Mr. President, that we put into place when the American taxpayer paid another \$150 billion in taxes. That is the law of the land.

What we are doing today is, we have a spending bill before us that through a loophole in the process is being designated as an emergency so that—even though we are spending \$16.2 billion directly and we are releasing another \$3.2 billion of spending; a total of almost \$19.5 billion in new spending that would not occur in the absence of this bill—because of this procedure that we are using to designate this as an emergency, not one penny of this spending will count as spending, not one penny of it will count as deficit. But we will, in fact, spend; we will, in fact, send up the deficit; and we will, in fact, borrow the money.

We have simply agreed, through Government accounting, to say it is spending, but it does not count as spending; it is deficit, but it does not count as deficit; we are going to borrow it, but we are not going to say we are going to borrow it, because we do not want to comply with existing law, which is what the 1990 budget agreement is about.

I wonder, Mr. President, if maybe we should give the American taxpayer the \$150 billion back or let them not comply with the law the way we are not complying with it. We took their money, we said we would limit spending, and here we are considering a bill that goes back on that agreement.

But, you know, if the taxpayer went back on that agreement, the Senator from North Carolina and the Senator from Oregon and our other colleagues know what would happen. They would go roust the taxpayer out of his bed at night and carry him off to prison.

But we, through our creative accounting, can say, "This is an emergency," and then we do not have to live up to the law of the land and to the commitment that we gave to the American people.

Mr. President, we have before us a massive spending bill. One of the elements in the spending bill has to do with community development block grants that total \$2.5 billion. This is new spending on new projects that will be funded. And in the intermodal transportation section—which means mass transit and highways—we have another \$2.9 billion of additional spending.

In order to get ready for this spending and, quite frankly, to build a political base for spending this money, the administration went out to the mayors

and said, "Put together a wish list of all the things you would like to spend money on if we give you new money."

Now, I remind my colleagues, this is an emergency bill. The way we are getting around the law, the way we are not living up to our commitment to the American people, is to say: "This is an emergency. This is the President's economic stimulus package."

So the administration asked all these mayors to come up with their ready-to-go list, the list of projects they are ready to fund. And here it is in two great big volumes.

When we started the debate, it was pretty clear, as Members started going through these books, that there were a lot of things that were eligible for funding, and many of them would be funded under this bill, that we did not want to say we were for.

In fact, this did not start with the Senator from Texas. It started with the distinguished chairman of the Appropriations Committee and with the ranking member. They sent to the desk, and we adopted by voice vote, an amendment that did the following things: It said, in all of these ready-to-go projects that we are going to fund with some \$5 billion, we do not want to fund everything. In fact, it said that we could not use this money to build golf courses or cemeteries. And then it got more specific. It said:

None of the funds provided in this act may be used to support whitewater canoeing facilities on the Ocoee River, fisheries atlases, and studies of the sicklefin chub.

I applaud this amendment. I do not know, quite frankly, if I was on the floor when we adopted it by voice vote, but it certainly would have had my vote.

Then, however, people started to get serious. We had an amendment offered by our dear colleague from Colorado, which, in addition to dropping 54 of these projects from the list, also reduced spending—because this is what these projects would cost—by \$104 million.

This amendment became very, very contentious. I remind my colleagues, and those who might be following this debate, that we had a long debate last night. We had a very heated exchange on the issue, because it is a very important issue. It is a defining issue as to what American Government is about, in my opinion.

In fact, no vote that we have taken this year in Congress has so clearly defined the real choices facing America as the vote we cast on the amendment of the distinguished Senator from Colorado.

Last night, we voted not to table it. We then had a procedure where there was a motion made to reconsider that vote and then the Senate adjourned for the night. Then we came back this morning at 11 o'clock and reversed the vote that we cast last night and rejected the Brown amendment.

Now, I want to remind my colleagues that we all rejoiced when Senator BYRD and Senator HATFIELD took out golf courses and cemeteries and whitewater canoeing and fisheries atlases and studies of the sicklefin chub. But when the Senator from Colorado tried to strike other provisions and the money that would pay for them, that amendment was first kept alive but then defeated. Let me remind my colleagues, because it is relevant to this amendment, what was contained in the Brown amendment, because my guess is that people in days and months and years hence will look back at this amendment and others similar to it to decide what American Government was all about.

Senator BROWN's amendment struck 104 million dollars' worth of ready-to-go projects from those that could be considered for funding and reduced the amount of money in this funding bill by \$104 million. I want to just read a few of these to begin to define the flavor of what this debate is about.

Foster Park tennis and basketball court resurfacing and color coating; Anthony Oats Park and pool renovation; miscellaneous pool repairs in Birmingham, Alabama; tennis court resurfacing; theater renovation; aquatics facility and ball fields; park construction; indoor pool, in Los Angeles, California; Fairmount Park boathouse restoration; soccer fields in Riverside, California; beach commercial revitalization; an Art Ark with 29 units of new construction live and work units in San Francisco, California; swimming pool, theaters, cemetery drainage.

Might I point out to my colleagues that last night after the Hatfield-Byrd amendment was adopted, I posed a question to the Chair as to whether or not, because the Hatfield-Byrd amendment prohibited the funding the cemeteries, whether or not that would prevent a cemetery fence in Atlanta, GA, from being funded.

The answer of the Chair was that based on the amendment, the Chair could not give an answer.

My question was: Given that the Byrd amendment precludes funding for cemeteries, could a project in Atlanta, GA, to repair a historic wall around a cemetery, be undertaken? \$2.5 million?

The Chair responded that the Chair was unable to give us an answer to that question.

The Brown amendment would have stricken funds for an ice skating warming hut in Union Pond Park, in Manchester, CT; theaters, golf courses, parks, recreation, marinas, recreation center, art center, basketball court, shopping centers, two new gymnasiums, indoor pool, outdoor ball fields, and the list goes on and on and on and on.

Mr. President, what the distinguished Senator from Colorado wanted to do is to strike these projects and drop the money and guarantee to the American people that these projects would not be funded.

I would like to remind those following this debate that this is supposed to

be an economic stimulus package. And it is supposed to be an emergency package. I do not think anybody can justify any of the provisions that the distinguished Senator from Colorado would have dropped as being either an economic stimulus package or being an emergency proposal. I do not know what is an emergency about tennis courts and basketball courts, about aquatic facilities, indoor swimming pools, and an art ark.

I do not believe that anything here is an emergency. Frankly, as I have said earlier in debate, it seems to me that this is not an economic stimulus package, this is a political stimulus package. Anybody who makes an argument that by funding projects like this through a \$5 billion investment where we are borrowing every single penny we are spending, that we are going to somehow make America stronger, that we are somehow going to create more jobs, more growth, more opportunity—I think that is an argument that the American people are going to find hard to understand.

Mr. BREAUX. Will the Senator from Texas yield for a question?

Mr. GRAMM. I would be happy to yield for a question without losing my right to the floor.

Mr. BREAUX. I will ask the question. I have heard this list time and time again. I would agree with the Senator that some of the projects on the list that he has been reading are projects we should not be funding on an emergency basis—or probably at all. But it is my understanding—I would like to ask the question—is this not a list that represents sort of a wish list from local government officials and from Governors around the various States? They would love to have the money if someone was foolish enough to give it to them, but it is only a wish list that they would like to have. It does not represent any approval by this Senate, or by the House, or by anybody else, of funding for it. It is just a wish list?

Mr. GRAMM. If I might reclaim my time, first of all it is obvious that the distinguished chairman of the Appropriations Committee and the ranking member took this wish list seriously enough that they went through and specifically prohibited four projects. And then prohibited two general categories from being funded.

Mr. BYRD. Mr. President, will the Senator yield on that point?

Mr. GRAMM. I would be happy to.

Mr. BYRD. I have heard it said many times that the distinguished Senator from Oregon [Mr. HATFIELD] and I had offered this amendment and had used this list.

Senator HATFIELD and I did not use "this list." We only included in our amendment, those items that had been talked about on the House side before the bill came over here. As far as I am personally concerned, I did not even

know that "this list" even existed at that time.

That is the reason why we specified the items that we specified. They had been kicked around over in the House, had been talked about, and were in the newspapers. Senator HATFIELD and I thought we ought to do something about them. But I did not know anything about this list.

And this list, if the Senator will allow me—Mr. President—to further say—

Mr. GRAMM. I will be happy to yield further.

Mr. BYRD. This list is a 1,700-page list as I understand it that adds up to over \$7 billion. It is a list of items that mayors and county officials could at some point in time have, if they had the money—they could apply for them and get a CDBG grant to build them. These were just lists, "Well, what would you like, Mayor, if you had the opportunity? What would you like, Mayor of Kansas City?"

Well, he would send in his list as would other mayors. This list grew up as a result, as I understand it, of the mayors' requests, and was compiled under the leadership of a Republican mayor, and has nothing whatsoever to do with this bill. There is not one item in this bill that is on that list. Senator HATFIELD took the occasion to try to guard against those items that were talked about on the other side when the bill passed over there and they were printed in the newspaper.

I did not have any knowledge of this list, may I say to the distinguished Senator. And I thank him for his kindness in yielding.

Mr. GRAMM. Mr. President, I would like to make a further point. I congratulate the distinguished chairman for specifically precluding whitewater canoeing facilities on the Ocoee River, and fisheries atlases, and studies of the sicklefin chub. But the problem is that Secretary Cisneros, in testimony before a committee of the Congress—when asked about what projects were funded—basically said that this would be the list from which the projects would come. And the purpose of the Brown amendment was simply to prevent what most Americans would be outraged at, from happening. Just last week we voted to mandate that the committees of Congress raise taxes on Social Security recipients who have saved all of their lives to build up a little nest egg. And now if they earn over \$25,000 a year in their retirement, we are going to tax their Social Security benefits.

Senator BROWN's amendment was simply trying to be sure that having taxed Social Security benefits, having taxed every working family in America on the Btu or energy tax, that we did not then fund tennis courts and basketball courts and pool renovation and ice skating warming houses.

If we are not for these things, I do not understand why we reversed ourselves this morning on the Brown amendment. If we are not for these projects, there is one way to guarantee that they will not be funded, and that is to vote for amendments that specifically take them out of the ready book and remove the funding so that we know they cannot be funded.

In fact, because of the Byrd amendment, we know that the white water canoeing facilities on the Ocoee River will not be funded. We know that. The point I am making is there are 396 other similar projects that have been identified by people on this side of the aisle that we believe should not be funded. All we are doing is asking our colleagues to vote to deny funding to these projects and to save the money that they would have cost had they been funded, reminding my colleagues that every penny we spend here is being borrowed. Every penny that we spend this week is a penny that will be borrowed and that would have been otherwise used to build new homes, new farms, new factories to generate new economic growth.

This money now is going to be pre-empted by the Government. The Government is going to go out and borrow it. It is going to pay whatever it has to pay to get it. And all Senator BROWN's amendment was trying to do, an amendment that I was proud to cosponsor with others, was trying to see that none of those 54 projects ended up being funded. Would they have all been funded? Probably not. Would some of them be funded? Almost certainly they would be funded and will be funded if we do not do something to prevent them from being funded.

Mr. GREGG. Will the Senator from Texas yield?

Mr. BYRD. Will the distinguished Senator yield?

Mr. GRAMM. I will yield first to the distinguished chairman, but let me just complete this thought, if I may.

Why not be cautious? We may have lost our ability to be outraged, but the American people have not lost their ability to be outraged. Why not be cautious? If funds may be spent on projects like this, why not preclude them? And why not drop out the funding that would have been used to pay for them? How can we stimulate America's economy with those make-work jobs on projects like ice skating warming huts when we are having to borrow the money and take it away from real projects and real investment? That is ultimately the question that we need to answer.

Without losing my right to the floor, I will be very happy to yield to the distinguished chairman.

Mr. BYRD. Mr. President, I thank the distinguished Senator for yielding. It is my understanding that with respect to the superconducting super

collider, we have already appropriated \$1.8 billion. And the total cost of this monstrosity is somewhere between \$8 billion and \$10 billion. That is a lot of money.

The distinguished Senator from Arkansas [Mr. BUMPERS] has led the fight here to try to put some reins on that kind of an expenditure, and he has not been quite successful yet. But why not, may I ask the distinguished Senator, why do we not include in this bill restrictions on further spending for the superconducting super collider? Now, if we really want to save some money, we do not have to fool around with this chicken feed, like we have been offered here about phantom list of projects that are not in the bill and nobody is contemplating that they will ever be in the bill or money is going to be spent for them. Here is a real, honest to goodness piece of money that we could put on and apply to the deficit.

Would the Senator object, and I will support him in an amendment if he will offer it, and I would be happy to offer it or other Senators—Senator BUMPERS should be the one to offer it. He is the one who has pioneered this area. Would the Senator agree that if we want to really capture some money to apply on the deficit that we ought to stop this monstrosity and return that money to the taxpayers and assure them that the rest of this \$8 billion to \$10 billion will not be spent? If we judge this project by the other projects that we have seen from time to time, the estimate today will balloon by a year from today, instead of \$8 billion to \$10 billion, it will be \$15 billion. I say let us put a stop to it now. I hope that at some point the distinguished Senator from Arkansas will further enlighten the Senate on this matter as he has so often done before.

Now would the Senator from Texas agree that we should not have any spending in Texas, no spending, just cut out all funds in this whole package for Texas and not only that, stop the superconducting super collider?

Mr. GRAMM. Mr. President, reclaiming my time to respond, first of all, without a spending reduction elsewhere I would vote against every project on this list that is for Texas. In fact, I must congratulate our dear chairman, in our markup at least for the first time in my awareness when we reported this bill for \$16-plus-billion, for the first time I ever remember, we had it broken out by State. So you can bet that my trusty staff, always alert to that magic name, that republic which has since made itself part of the Union, when the name Texas appears, we look in on it.

As I saw these glorious numbers, some \$600 million, I think it was, I thought, \$600 million for Texas. Perhaps that is God's work, but then I realized we have to borrow every penny of it; that the week after we said we

were going on the spending wagon, that we are now going to pick up a glass full of this devil's brew, 16 billion dollars' worth and gulp it down. So I said to myself: I am opposing \$600 million plus spending for Texas, but I am saving America \$16.5 billion and what is the good bargain for Texas? I concluded, Mr. President, that the good bargain for Texas was: Do not spend money we do not have on projects that we can live without.

In terms of the superconducting super collider, I would join the distinguished chairman in striking every penny of funding in this bill even if that included some money for the space station, or the National Science Foundation, or the SSC—if such spending was not offset with reductions elsewhere in the Federal budget.

I want to assure my colleagues, never, ever will I ask for funding for science and technology in the future when that funding breaks the budget or when we have to use this ruse of saying it is an emergency so that we do not violate the law of the land in funding it.

I would argue to my colleagues that in the last 25 years when spending has shot through the ceiling, that in that 25 years, our expenditure on science and technology has fallen from 5.2 percent of the budget down to 1.9 percent of the budget.

So I personally believe that relative to the other money we spend that we under invest in science and technology in the future. And quite frankly, I do not understand the proposal the President made in his budget to pare back funding for science and ask for \$16.5 billion of make-work projects.

How many golf courses and cemeteries and white water canoeing facilities and fisheries atlases and studies of the sicklefin chub equal the space station?

How do these amendments expend our technological capacity to compete on the world market? That I think is the relevant question.

Now, let me turn to the pending amendment of the Senator from West Virginia. What the pending amendment says is the following:

Notwithstanding any other provision of law for this act, the Office of Management and Budget shall administer the obligation of all funds appropriated or otherwise made available by this act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious program, project or activity are approved.

Who is going to determine what is wasteful? Who is going to determine what is necessary? Who is going to determine what is nonmeritorious? It is obvious that we disagree on this floor. I have colleagues who are here who believe investment in science and technology is not meritorious. I clearly do not believe that investing in white water canoeing facilities and fisheries atlases when the Nation is on the verge

of bankruptcy is meritorious. Whose view is going to prevail?

Well, the plain truth is under this amendment the Office of Management and Budget can do whatever it wants to do because the Office of Management and Budget will determine what is wasteful, what is unnecessary, and what is nonmeritorious.

Mr. GREGG. Will the Senator yield for a question?

Mr. GRAMM. I will be happy to yield for a question in a moment.

So this amendment may have many objectives, but its practical effect is nothing. Its practical effect is that OMB is going to decide what it funds and what it does not fund, when the Senator from Colorado simply wanted to say do not fund 54 projects in tennis courts, basketball courts, pools, and ice skating warming facilities.

Now, will the Office of Management and Budget decide that an art ark is wasteful, unnecessary, nonmeritorious? I do not know.

Mr. BUMPERS. Will the Senator yield for a question?

Mr. GRAMM. But do we want the Office of Management and Budget to decide? I say let us decide. We were empowered by the Constitution to appropriate funding. Only the Congress can do that. Why should we give this power to somebody else?

Mrs. FEINSTEIN. Will the Senator yield?

Mr. GRAMM. The distinguished Senator from New Hampshire asked me to yield for a question. I will be happy to yield.

Mr. GREGG. Mr. President, if I could ask the Senator from Texas a question.

As I read this amendment—the Senator has stated it—it would mean that the power to make decisions on these projects, many of which were not included in the Brown amendment, projects such as counseling for self-defeating behavior, which was one of the things that would be funded under the mayor's project in Pontiac, MI, projects such as that which were not included on the Brown list would theoretically under this amendment be subject to some sort of oversight by OMB. But if I understand the parliamentary situation and the position of this Senate, it has spoken as of this morning that the 54 programs including the 24 bicycle paths amounting to \$40 million, the 13 parking lots amounting to \$17 million, the 5 bus stops amounting to \$3 million, and the 15 baseball fields amounting to \$21 million, those projects the Senate this morning deemed sacrosanct. By a vote of this Senate, those projects were basically confirmed as being off the table for OMB to look at because, if I were at OMB and I had seen the Senate had rejected the amendment of the Senator from Colorado which tried to delete those projects, I would say I as a functionary in the office of OMB have no

right to second-guess the legislative decision of the body of the Senate, and therefore those projects have basically been given the stamp of approval by this Senate.

I do not think this amendment of the Senator from West Virginia can affect those projects because legislative language is basically going to take those projects, and the vote of this body is going to take those projects off the table.

Mr. GRAMM. Reclaiming my time, it seems to me that, first of all, this amendment does nothing. In fact, I always thought it was the job of Congress to decide what was wasteful, unnecessary, and nonmeritorious. Perhaps we are offering the amendment because we know that such a poor job has been done in the past in making those decisions.

But the bottom line is even though this amendment is meaningless, the Brown amendment was not meaningless because the majority voting first said they liked the Brown amendment, they wanted to strip out those projects, and they wanted to drop the funding level. And then this morning the Senate reversed its action and said it would not strip them out.

So our message to OMB, but more importantly our message to the working men and women of America, was the majority of the Members of the Senate did not want to exclude those projects, did not want to say that we did not want them funded and did not want to drop the money.

So we can offer all kinds of excuses, we can have all kinds of cosmetics, but they cannot cover up the ugly fact that when we got right down to the bottom line, we were not willing to say do not fund some of the most clear-cut pork barrel projects that I have witnessed in the 14 years I have been in Congress.

The bottom line is we are shooting with real bullets here. The bottom line is we are spending \$16.3 billion of new money that we do not have. We are going to have to borrow every single penny of it. We are going to spend more money this week than this much praised budget will save in nondefense spending cumulatively between now and 1997. We are going to spend all of those savings away and more this week.

I ask my colleagues, how can we say to the American people we are serious about deficit reduction and we are serious about spending control when last Thursday we adopted a budget that raised taxes by \$295 billion, and that cut nondefense spending by \$7 billion? If that did not throw our credibility into some question, it should have. But now we are coming back 1 week later and we are spending \$19.5 billion we do not have, more than twice the amount of nondefense savings in the whole 5-year period of the President's budget. So I think we are down to a question of credibility.

My point is that the Byrd amendment simply says let OMB decide what they want to do, but it gives us absolutely no guarantee that we are not going to end up taxing Social Security recipients, taxing every family in America on the energy tax, and then spending that money on projects such as—and I will just click off a few of them because I think it is important that people know about it.

Let me talk about the ones that are not in the Brown amendment. Graffiti abatement, bicycle paths, construction of a casino building in West Haven, CT; the Brown amendment has the ice skating warming hut, but I do not believe that, unless I missed it, it has the casino building.

It does not have the repair of the historic wall around the cemetery, it does not have landscaping around bus shelters in Gary, IN, in it. That still is on the list, is not precluded.

The list goes on and on and on—sprinkler systems, parking garages, the building of a grocery store in Minneapolis, MN. Since when did we get into the business of building grocery stores in Minneapolis, MN? Well, we are about to get into the business when we get into the business of providing \$5 billion in highway and grant money that is supposed to stimulate the economy. What kind of stimulation is this? I say that this is wasting the taxpayers' money, and the plain truth is everybody knows it.

The problem is we have lost our ability to be outraged. That is the bad news. The good news is the American people have not lost their ability to be outraged. And when they discover that we are allowing their money raised by taxing Social Security benefits and taxing working families to be used to fund these kinds of projects, they are going to be very unhappy.

Mrs. FEINSTEIN. Will the Senator yield?

Mr. GRAMM. I am happy to yield to the Senator.

Mrs. FEINSTEIN. Thank you very much. Mr. President, I would like to put on my hat for a moment. It might be of help to the Senator from Texas. The hat I would like to put on for a moment is that of a former mayor and a person who has administered a Community Development Block Grant Program—nine of them for 9 solid years.

I would like to explain how that is done. The Community Development Block Grant Program is just that. It is community development. Every recreation project is funded with public moneys in the cities of America, virtually every single one, unless a benefactor provides those funds.

I would like to point out to the distinguished Senator from Texas that there are homeless projects on this list, there are AIDS projects. One of the projects on the Senator from Colorado's list is the 27,000-square-foot

community center in Martin Luther King Park in South Central Los Angeles, CA. If there was ever a need for an injection of public moneys into a local jurisdiction, is in South Central Los Angeles. As a matter of fact, Mr. President, 13 of those projects on the Senator from Colorado's list were in the State of California. Every one of them is a public recreation project of some kind or another.

What a mayor does and what I did was to forge a program. I would hold public hearings. I would put together a program for the use of community development block grants moneys. I would send that program to the board of supervisors. The board of supervisors could accept it, could amend it, could reject it, but there was a regular process in which these moneys were evaluated, heard, and approved on the local level.

With all due respect, if you look through these 1,700 projects, you will see many that are extraordinarily important if we want to rebuild our domestic infrastructure. There is one thing that most of these projects have in common. They do improve the community's development, and they do produce jobs.

It is easy to go through and pull out projects. Maybe from the perspective of the Senator from Texas it is not significant what happens in South Central Los Angeles. I can assure the Senator that if you are in South Central Los Angeles, it is very significant. This Congress passed an urban aid bill to help South Central Los Angeles. It was vetoed, and nothing came.

I see on this list some funds to go for Martin Luther King Park, the construction of a 27,000-square-foot community recreation center with an indoor pool. I guess that is true, as an approved project that Los Angeles has submitted.

Suddenly, there is some kind of indication that all Community Development Block Grant moneys are bad. They are not. San Francisco funds its redevelopment agency with Community Development Block Grant funds and has from the very beginning of Community Development Block Grant moneys. They have built housing. The art ark project is a low-income housing project in San Francisco.

Sure, it is easy to poke fun at these things. But I would hazard a guess that most of the people want community centers that run, they want libraries that have books, they want transportation systems that can move their people. And this is one way the Federal Government has come to help local jurisdictions.

So, Mr. President, I must say I get my ire going somewhat because I remember the many hours when as a mayor I screened these projects. I say to my colleague that I did my utmost to see that there was no waste of public

money. And I must say for every mayor out there that I take real exception to the fact that certain projects are singled out and found not worthy. I think this community center in Martin Luther King Square in South Central Los Angeles, in an emergency stimulus package, is important to the future of this Nation because right now in South Central Los Angeles there is a possibility of another monumental situation developing.

For 12 years, virtually nothing has gone to the cities of America, from the Federal Government outside of this very program. The Economic Development Administration was slashed; UDAG was ended; affordable housing programs were cut; virtually every single program that benefited the future and fabric of our society by this very Congress was cut.

I must say I am absolutely incensed that a Member of this body could say that we are being lobbied by special interests for these moneys. No tobacco company has called me. No big oil company has called me. No computer firms are for this program. A lot of children that might have Head Start are for it, possibly, if they are old enough to know about it; maybe some babies that want to be immunized; people out of work who like to be able to have their unemployment compensation extended.

So I thank my colleague for this time, but I must say to make the Community Development Block Grant program the shibboleth is not correct, because there are many worthwhile projects. They employ people. They build our community infrastructure. They house, they move, they do just the very thing that many of us believe that Government should do. I thank him very much.

Mr. GRAMM. Mr. President, I am happy to have been able to yield. Let me make my point, because I certainly respect the feelings of the Senator from California.

I am not hostile to a new park in Los Angeles, CA. But I have to answer the following question: When we are broke, when the deficit is over \$300 billion this year, when we are getting ready to tax Social Security beneficiaries who make \$25,000 a year, when we are imposing energy taxes of \$500 per year on families making \$20,000 and \$30,000 and \$40,000 a year, all in the name of deficit reduction, I am mystified as to why we at the Federal level should be taking money we are taking away from Social Security recipients and sending it to Los Angeles, CA, to build parks and calling that an emergency, or calling it a jobs program or a stimulus program.

It seems to me Mr. President, that we have a fundamental difference philosophically here.

I think Los Angeles ought to have parks, but I think people in Los Angeles ought to pay for those parks.

There are 600 million dollars' worth of projects in this bill for Texas. I

would like to have that money. Many of those projects I am sure are going to be beneficial.

Mrs. FEINSTEIN. Mr. President, if the Senator from Texas will yield, California is a donor State. We pay \$14 billion more in Federal taxes than we get back.

The PRESIDING OFFICER (Mr. KERREY). The Senator from Texas has the floor.

Mr. GRAMM. Mr. President, Texas is also a donor State. I am not going to stand here and argue we do not get a benefit from being part of the greatest country in the history of the world.

The point I am making is this and I think it is a very simple point. We have two choices here and both of them are legitimate. I say with a deficit of \$300 billion, when we have passed a budget that calls for taxes on modest income people and on their Social Security benefits, when we are raising energy taxes on every working family, why would we want to fund projects like these?

I am not hostile to parks in Los Angeles, CA, but I do not believe you can argue that: First, they are an emergency or; second, they are really going to provide the foundation for long-term economic growth. And when we are \$300 billion short this year of paying our bills, why we would want to fund these kind of projects, I do not know.

Finally, when you realize that we are going to borrow this \$16½ billion, when you realize we are using an accounting scheme whereby we are not going to count it as spending because it would then violate the law and trigger an across-the-board cut in other spending if we did this without the emergency designation, I just do not think you can make an argument for it.

It is not a question of the need for the Martin Luther King Park or any of these other parks, or any gyms or any bicycle paths, ice skating warming huts, or any other projects. It is not a question of merit or lack of merit in these projects. The question is basically what is America trying to do and how can we argue that we ought to raise taxes on the working men and women of America and then turn right around and fund these projects.

I cannot make that argument. Maybe there are others who can. I cannot argue that we ought to be taxing someone's Social Security benefit who is making \$25,000 a year who has worked a lifetime to earn that money. I cannot in good conscience argue that we ought to take their money to pay for these projects. I am in no way trying to say if I were mayor of a big city that I would not think that these projects have merit.

I am not saying they do not have merit. What I am saying is they have costs. And how can we have any credibility whatsoever if we are going to spend more money this week than the

budget we adopted last week would save in nondefense spending cumulatively through 1997?

I do not think that you can have credibility doing that. And it may be that some people think the American people are never going to awaken. The American people are never ever going to know what we are doing. They are asleep. They are not paying attention. They do not understand it. They are too busy. The NCAA championships are on. It may be true it may be they will never awaken. If they ever awaken, if they ever awaken to the fact that we are allowing money to be spent on projects like this when we are raising taxes on Social Security on every working family in America, they are going to be an awakened giant and they are going to be very, very unhappy about it.

Finally, let me conclude so other people can speak because I do not want to try to dominate the floor. My purpose in speaking today is basically to make the following point.

The amendment by the distinguished Senator from West Virginia does not alter the fact that if OMB decides to allow these projects to be funded they can be funded. They can justify defining waste or unnecessary or nonmeritorious however they want to. We have already heard some of our colleagues today say that investment in technology and science in the future is waste. I do not think it is.

I think these projects are a waste. I think ice skating warming huts are wastes, but there are those here who do not.

The point is the terms do not end up meaning anything. The only way we can keep this money from being spent is to take these provisions out and specifically to deny the ability of our Government under these extreme financial circumstances from funding tennis courts, basketball courts, parks, and all of these other things that would be wonderful to have in your neighborhood but which we do not now have the money to spend.

The Senator from Colorado gave us that choice. We at first took it last night. We took it. Today we reversed it. That is the bottom line.

Finally, let me respond to the argument that implies that if someone does not want to violate the spending restraint, maybe if someone does not want to designate these kind of pork barrel projects as an emergency, maybe if someone wants to try to shear off this add-on spending that they must then vote to eliminate every program they support in the Federal Government, that somehow unless you are for violating the budget, unless you are for raising the deficit, unless you are for emergency designation, then you should be against everything government does.

Let me tell you this: I will never support such a project in my State if fund-

ing that project means that we have to violate a budget which we have adopted. I will never do that. I will never support such a project in my State if we had to designate funding for it as an emergency in order to get around the law of the land in order to fund it. I will never vote to waive the Budget Act in terms of a spending cap to fund such a project in my State.

Mr. BYRD. Mr. President, will the Senator yield on that point?

Mr. GRAMM. With some trepidation, I will yield.

Mr. BYRD. Is the Senator telling the Senate that if there is an earthquake tomorrow in Texas, a tidal wave, or severe flooding, he would never vote to call that an emergency? We have done this time and time again in California, South Carolina.

Mr. FORD. Florida.

Mr. BYRD. Is the Senator telling the people of Texas that if there were an earthquake tomorrow, if there were a tidal wave there, if there were severe flooding there, disastrous situations created by an act of God, and is he telling the American people, is he telling this Senate, is he telling his own people that regardless of the suffering, regardless of the devastation, regardless of the lives that might have been paid, he would never, he would never, he would never vote for a bill for disaster relief if it used the word "emergency," if it made that on the basis of an emergency? That is the way we generally have to do these things.

Mr. GRAMM. Mr. President, reclaiming the time, I will respond.

Mr. BYRD. Would the Senator do that?

Mr. GRAMM. I am happy to respond, reclaiming my time.

Let me thank my dear colleague for the point he makes. The distinguished Senator made a point about a science investment that is in my State.

We are all aware of it. We hear about it every day. We had competition. Thirty-five States competed. States put up money to pay for part of the project, and Texas won the competition.

The point was made that if we are trying not to fund these programs, if we are not going to fund bike paths, not going to fund jogging trails, not going to fund ice skating warming huts, maybe we ought to cut science projects.

The point I am trying to make is that I am not going to vote to waive the Budget Act or to increase the deficit above a level we set out in the budget or try to circumvent existing spending limits to fund such projects in Texas or anywhere else.

To my knowledge, I would say to the chairman, that since the Lord has spared Texas these natural disasters, in my 8 years in the Senate I have never had to do that. I have, however, voted for waivers for disaster assistance to other States.

In his wisdom, our dear chairman has added a classification for legitimate disasters that should have been added, but that was not the point I was trying to make.

The point I was trying to make is this: This list has \$600 million for my State, but it is not worth it. It is not worth borrowing \$16.5 billion to give Texas \$600 million. Texas is going to lose more than it is going to gain from this bill, and so is America.

But my point is this: Even if there are add-on spending provisions in this bill for my State, I would vote against it. There are, and I will.

That is the point I wanted to make. If we had a giant hurricane that hit Texas instead of Florida, no doubt I would seek the same treatment as any other State in the Union to help cope with the natural disaster.

Mr. BYRD. Even though it added to the deficit?

Mr. GRAMM. But on discretionary spending as opposed to a natural disaster, the point that I made—and it is a relevant point, because of the point that the chairman made and a point I am sure our dear colleague from Arkansas will make—is I am not going to raise the deficit, violate the budget, violate the spending cap to fund those discretionary programs that I am for. I do not think we benefit America by doing it. And every penny we are spending in this bill is technically illegal, because it violates the spending constraints that are set out in law.

I thank my dear colleague. And I am sure, as I have appreciated his wisdom on many occasions, if, God forbid, this hurricane or tidal wave comes, I will look back and I will say, "ROBERT C. BYRD saved me from making a fool of myself." Again, Mr. Chairman, I thank you for giving me the opportunity to make that clarification for legitimate emergencies arising from real disasters.

But I will repeat, for those who say you cannot be against this bill and be for any other spending: I am not for other spending if we are violating the spending cap or we are busting budgets we write.

But if we are going to write a budget and if we are going to say we are going to spend money—just to give you an analogy, let us say we decided this afternoon—which, given these projects, would not be so farfetched—that we were going to build a cheese factory on the Moon. I would vote against it. I can tell my colleagues right now I will vote no, and I would try to deny cloture.

But if we decided to do it, I would want Texas companies to do the engineering, I would want a Texas construction company to build it, I would want to use Texas milk, and I would want the celestial distribution center in Texas. But, am I for building a cheese factory on the Moon? No. Will I fight it? Yes.

I think that is the relevant point. I think to take any other perspective is to really distort what the whole debate is about.

I yield the floor.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, first, I can only conclude that the Senator from Texas is shadowboxing with things that do not exist. He talks about all these programs that are going to be funded and they do not exist.

He never did answer the chairman's question about whether he was going to vote to eliminate the super collider, but we all know the answer to that, and that is the reason he did not answer it.

So I assume that he is against spending on projects that do not exist and he is for spending on projects that do exist, enormously expensive projects.

Mr. President, I can tell you than an emergency is like beauty. It is in the eye of the beholder. While personally I have a rewarding job that provides for me and my family, many people have not been as fortunate.

When President Clinton was elected, simply because I am the Senator from Arkansas, my desk was mounded over with people who are not as fortunate, people who need jobs. It is certainly an emergency for them.

I have a good friend who grew up with me in Arkansas that has been unemployed for 2 years. He has a Ph.D. He came into my office recently and wept. He said:

I have done everything I know to get a job. I am getting ready to lose my home. My wife is employed, but the company she works for is getting ready to declare bankruptcy.

I spent an hour with him just listening, because often the most therapeutic thing you can do for a friend and constituent is to be a good listener.

During the campaign last fall, I went to a small town in southern Arkansas. There were a couple of hundred people there. I listened to farmers who at one time had been affluent and thought they had it made forever. A young farmer sitting across the table from me said, "Senator, I am going to make 3,500 bales of cotton on 1,600 acres of land"—that is well over 2 bales per acre, and that is a lot—"and I am going to lose a quarter of a million dollars."

So then I went and visited with some of the elderly in the audience. Fifty percent of that community is African-American, many of them elderly, because the young had left trying to find opportunities elsewhere.

I asked this elderly man:

"What is your income?"

"\$436 a month."

"Social Security?"

"Yes, sir."

"Is that your total income?"

"No, sir."

"What is?"

"Well, my wife gets \$186 or \$200."

I forget exactly what it was. The total between the two of them was less than \$600 a month.

"What is your electric bill?"

"Well, it's not much, Senator. We don't ever turn anything on at our house."

"In the summertime, do you have an air conditioner?"

"Oh, no, sir. We have a couple of fans. We turn those on on the hottest nights so we can sleep."

And on and on it went, people telling me that they had every month to make a choice between food and medicine.

No, there is no emergency among the most affluent among us, but I can tell you there were plenty of emergencies in that group.

I asked the same man:

"Do you get food stamps?"

"No, sir."

"Why not?"

"They tell me I'm not eligible. They will not let me have them."

"And so you and your wife are living on \$600 a month?"

"Yes, sir."

"Do you own your home?"

"Yes, sir. If I didn't own my home, I would sure be in tougher shape."

Mr. President, I do not like voting for a \$16 billion stimulus package, either. But I can tell you this: It is a roll of the dice.

I think the President probably has some of the same doubts and reservations that thoughtful people in this body have. He must have.

But I will tell you what we are doing here and what the President foresaw, and that is we are going to cut a lot of spending and we are going to raise a lot of taxes, both of those things may threaten some jobs.

The State of California may suffer some of the adverse consequences.

So, if you do not put money in the 7-A Loan Program of the Small Business Administration, if you do not take some of the highway trust fund moneys that cannot be spent for anything else and build highways and create jobs, if you do not build water- and waste-treatment facilities, and if you do not repair homes and do all the things that are in this stimulus package, that unemployment rate could start skyrocketing in 1994 and send this economy right into a tailspin.

I am going to take a chance on a new, young, President who has leveled with the American people about the problems facing this Nation. And it was not easy. For 12 years I have heard speeches like the one I just listened to, that brought us from \$920 billion to \$4 trillion. We are going to have blood all over the floor before the end of this week, trying to get the debt ceiling raised. Everybody is willing to spend—on defense on that side and on domestic spending on this side—but when it comes to raising the debt ceiling, nobody wants to face reality.

I have heard all those speeches from the other side of the aisle about how there are only \$7 billion in cuts. That is nonsense.

When they say there is only \$7 billion in cuts, let me tell you how deceptive that is. I did not fully understand that until this morning. I kept wondering where this \$7 billion figure came from. I will tell you. It is based on the premise that defense spending cuts do not count. That is not real money. It is only real money if you are cutting student loans, childhood immunizations, Head Start—that is the only cuts those people believe in.

So if you take all the add-backs of the additions, such as this \$16 billion stimulus package, you take that over a 5-year period and you subtract it only from domestic spending cuts, you probably come to \$7 billion. But it does not include the interest we are going to save by cutting the deficit. And it does not include any of the defense expenditures. If you took all of the add-backs and charged them against defense, you can say, why, they are cutting \$150 billion on domestic spending. So it just depends on who is doing the calculating.

Mr. President, the Senator from Texas says he is not going to vote for this money for Texas. That is his prerogative. I intend to vote for it for Arkansas.

There is \$200 million in this bill for Texas for highways which are funded out of the highway trust fund. When the people of Texas drive up to the pump and pay 9 cents a gallon in Federal taxes for gasoline, they expect to get it back. But the Senator from Texas says, "No, I am not going to vote for this \$200 million they are trying to cram down my throat."

I am going to vote for it.

And he says he is not going to vote to help small businesses get loans from the Small Business Administration because it would bust the budget we just adopted.

I am chairman of the Small Business Committee, and I watch those programs very closely. Do you know why the demand for so-called 7-A Government-guaranteed loans for small businesses is skyrocketing? Because the banks will not provide loans to them. The banks are buying Government securities. And I do not blame them; they can make a \$1 million loan and the cost of administering that loan is no greater than loaning some poor small businessman \$25,000. That is a no brainer for banks.

So what do small business people do who are constantly desperate to start businesses and expand the businesses they have? What do they do? They have to go to the Small Business Administration. The demand for those loans is so intense and so great, on May 3, if the Senator from Texas' view prevails on the floor of the Senate this week, on May 3 the State of Texas will be out of business so far as making loans to small business is concerned. The program will be shut down; out of money.

If he would like to send some of that money from Texas to Arkansas, we will take it. We have a long line of small business people wanting money.

Do you know the nice thing about those loans? There is \$2.6 billion in this bill for small business loans. Do you know how that is scored? It costs \$141 million. Where can you find a better bargain than that; \$141 million will allow the Small Business Administration to make \$2.6 billion in loans.

When it comes to these famous projects that you have heard listed, cemeteries and golf courses and swimming pools—they do not exist. The Senator from Louisiana was absolutely right when he challenged the Senator from Texas. He said that list comes from a potential list that the Secretary of HUD addressed before a House committee. He said these are projects that are ready to go. He did not say they are going to go, or that they are going to be funded, or anything of the kind.

It has been pointed out time and time again, there is absolutely not one word in this bill about a single one of those projects. Their purpose is to distract your attention and try to make the American people think this young President, who is really trying to do something about the deficit, is really going to squander your money on golf courses and cemeteries and you name it. It is palpable nonsense.

Do you know something else? For 12 long years, Dick Darman, Jim Miller, all those at OMB who were appointed by Ronald Reagan and George Bush—they made thousands of grants for just such things as we have heard about today and I never heard a peep on this floor about it.

Yet when Leon Panetta, Bill Clinton's nominee and Director of the Office of Management and Budget sends a letter over here and says, of course we are not going to fund these projects or anything else like it, they persist and say, "You are just kidding. The minute our back is turned, I know what you are going to do."

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BUMPERS. I will be happy to yield.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BUMPERS. I will be happy to yield.

Mr. BYRD. Mr. President, would the Senator not agree that it was not called pork back then?

Mr. BUMPERS. I am sorry, I did not understand the question.

Mr. BYRD. It was not pork unless the Congress did it, would the Senator not agree?

Mr. BUMPERS. Absolutely.

Mr. BYRD. It was only pork when the Congress did it.

Mr. BUMPERS. Yes.

Mr. BYRD. But not when the administration did it, not when the Executive did it.

Mr. BUMPERS. That is a very interesting point the chairman has made, Mr. President. It is another way of saying whose ox is being gored. If they do it, it is OK. If somebody over here or the President does it—if the President does it, it is wrong.

The chairman of the Appropriations Committee, the manager of this bill, has made a very cogent point. If the people who are resisting this can embarrass the President before next Sunday when President Clinton is to meet with Boris Yeltsin, and if they can mortally wound the President between now and next Sunday, what does the President say to Boris Yeltsin? "I'm for you, but I don't have much influence, you know."

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BUMPERS. I will be happy to yield.

Mr. BYRD. Several Senators have indicated strong support for economic aid for Russia. I wonder how the American people would feel about legislation moving through this Senate providing economic aid for Russia if the Senate were to reject a bill providing economic aid for American taxpayers, American citizens, the American people.

How is the President of the United States going to be able to convince Mr. Yeltsin that he, the President of the United States, can move legislation through the Senate and the House providing for investments in Russia if the President has been delivered a serious defeat by the Senate on the very stimulus package, the jobs package, the package that provides for investments in America, highways, water and sewer facilities, infrastructure? If the Senate delivers a defeat to our American President, this new President on the 69th day of his Presidency, if the Senate delivers a defeat to our own President, how is our own President going to convince the Russian President, that he, Mr. Clinton, can get legislation through this body giving aid to Russia? I think the Senator has made an excellent point.

Mr. BUMPERS. I thank the Senator for his comment. It is right on target. How do you say to the American people, how does the President say it, for that matter: I want to help Russia succeed because if they do not succeed they still have those warheads? And you are going to hear that argument in spades for the next 6 months on the floor of the U.S. Senate as a justification for not cutting defense spending.

Mr. BYRD. Yes.

Mr. BUMPERS. But my point is, President Clinton is going to go to the American people and say, in the mode of Harry Truman, "I am going to tell you something you would rather not hear." Harry Truman said we are going to spend \$17 billion rebuilding Germany and Italy and Britain and France, and

Senator Vandenberg, who was chairman of the Foreign Relations Committee, said, "you need a saliva test. You are talking about \$17 billion in good American dollars to rebuild Germany that has been killing hundreds of thousands of our young men." And Harry Truman said, "That is exactly what I mean because if we don't, they are going to go Communist."

It was easily the defining moment in the Truman administration.

Harry Truman said to Senator Vandenberg:

I need bipartisan help on this. I need to help sell the American people on trying to save Western Europe from communism.

Finally Senator Vandenberg, in a bipartisan spirit that, frankly, does not exist very often around here anymore, said, "Mr. President, you can count on me."

At some point the President is going to come to the American people and say, "This is not pleasing to hear, but if Germany and Japan and France and Britain and all the rest of the G-7 nations do not give a hand to President Yeltsin and his reforms and try to help them democratize and establish a market economy, you know who is going to get control: The same people who have been driving Boris Yeltsin crazy for the last 2 weeks."

But how can he do that when for 12 long years the one item in the budget that stayed static is what we call domestic discretionary spending that we spent on ourselves.

Mr. President, I have a speech that I make to the Chamber of Commerce occasionally, and I say: "If in the past 12 years, as we quadrupled the deficit, the national debt, if we had solved the problem of crime, if we had solved the problem of education, if we had solved the problem of health care, you could make some kind of a justification for the kind of profligate runaway spending, we have incurred but can you believe this?"

Two things happened: We primed the pump with \$200 to \$300 billion a year we did not have and we thought that is all you ever needed to do to stimulate the economy. Last year we stimulated it by \$370 billion, and we are in a recession.

The other thing, Mr. President, is we increased spending on entitlements, we increased spending on defense, and we certainly increased spending servicing the national debt. We did not increase spending for domestic discretionary spending, and that is why we did not solve the problem of education. We are dead last among other nations in education. We are dead last.

And crime? No nation on Earth even comes close to us in the crime rate.

When it comes to health care, I do not have to tell a single person in America: that Americans are terrified?

A member of my family has multiple sclerosis, my beautiful 30-year-old

niece. I adore her. My brother, her father, is a relatively wealthy man, a lot richer than me. But you know something, diseases like that under our present health care system—I do not care how wealthy you are unless you are really in the mega millions—can wipe you out. That is the reason everybody wants Bill Clinton to succeed in health care.

When I ran for Governor 22 years ago, we took a poll and without suggesting anything, we said, what upset you most? What do you wake up in the middle of the night thinking about? Do you know what led everything else without being prompted? The fear of being wiped out by an illness. Twenty-two years later, we are finally beginning to come to grips with it.

Mr. President, I guess I have said about all I want to say.

Mr. BYRD. Mr. President, will the Senator yield at that point?

Mr. BUMPERS. I will be happy to yield.

Mr. BYRD. It was said on the other side of the aisle today something to the effect that the American people are slow to outrage. And the Senator wondered why the American people have not risen in outrage about, as I recall, spending for such items as were on this list, when time and time again we said the list is not involved in this bill and the funds will not be spent for such items.

Would the Senator not say that the people have a right to be outraged concerning the accelerated increase in costs of Medicaid? There are more recipients of Medicaid today in the country than ever before. Would the Senator not say it is time for the American people to be outraged about the fact that 1 out of 10 Americans today in this great country gets food stamps, the highest number of people on food stamps, 26 million? Is it not time, would the Senator say, for the American people to become outraged that the number of individuals on the AFDC rolls is the highest today than ever?

Are these things not worthy of the American people's outrage, and, if so, will not their outrage grow if the deficits continue to grow and if unemployment is not gotten under control and if the recession takes another dip, all of these things will contribute to a growth in that deficit? Would the Senator say that these matters are worthy of the American people's outrage?

(Mr. WELLSTONE assumed the chair.)

Mr. BUMPERS. Mr. President, the Senator takes me back to where I was a moment ago, and that is they ought to be outraged. They are outraged about the deficit. But they do not seem to connect between the size of the deficit and the fact that the pressing domestic problems of the country grew worse as we accumulated that deficit.

Do you know what the SAT scores are? Do you know what the crime rate

is? Among 15- to 19-year-old children, the murder rate tripled from 1985 to 1990. That among youth 18 to 25 years of age the biggest single cause of death is gunshot? I could go on and on with all these things.

When Jimmy Carter was President, I believe we had 15 or 16 percent of the children in this country living in poverty. Three trillion dollars later it is between 22 and 25 percent. That is the reason Medicaid is growing. More and more people have fallen into poverty. And our priorities have been skewed.

Now, here we have a President who said, yes, I want to fund the WIC Program. Some Senators say: I do not like poor pregnant women having children out of wedlock. Why should I provide her with a nutritious meal? Some say, why, she just got pregnant so she could draw more AFDC payment.

I have never much bought that argument, but my point is this: You can say you have sinned and therefore we are going to cut you off of everything, and then you deprive that unborn baby of a nutritious protein diet and you are really shooting yourself in the foot because the chances of that child being defective and even retarded go up exponentially.

I recently got the Children's Hospital in Little Rock, AR, a grant to study the IQ levels of babies who were born and where there was early intervention to see that the mother got a decent diet and that the child got neonatal care, its immunization shots, and so on for the first 3 years of its life.

Do you know what that little grant to the Children's Hospital of Little Rock has already revealed? That if there is no intervention with that poor pregnant woman, and the first time she sees a doctor is when she delivers, and there is no neonatal care for that child once it is born and for the first 3 years, you get an IQ level 15 points below what it would be if there had been early intervention.

I do not like welfare either. Welfare takes a lot of forms. You look through the Finance Committee bill at some of the tax expenditures we make around here. I will show you some real welfare.

Mr. President, I am not having a particularly good time even with my good friend in the White House. I do not enjoy telling Social Security recipients back home we are going to make you pay tax on 85 percent of your income even if that only affects about 18 to 20 percent of the recipients. And the Senator from Texas a moment ago mentioned a \$25,000 limit for single persons and \$32,000 for married couples, and we have raised that, as you know, to \$32,000 for single people and \$40,000 for married couples. But even so, it is no pleasure for me to go home and tell the folks we are going to tax their Social Security a little bit more. It is no pleasure to me to see a Btu tax that is going to devastate farmers because of

the amount of energy it takes to make fertilizer, herbicides, pesticides. They use energy running their irrigation pumps. They use energy on their tractors and in their trucks.

In addition to that, this bill that came out of the Budget Committee cuts agriculture over \$4 billion over the next 5 years. As a Senator from an agricultural State, do you think it makes the cockles of my heart warm to go home and tell them that, that we are going to close a thousand Farmers Home Administration offices across America? It does not warm the cockles of my heart and it certainly does not theirs.

The Senator from Texas never did answer the chairman's question about the super collider, and I do not blame him; I would not either if I were him. But the chairman knows well that for 3 long years—this will be the 4th year—I have tried to torpedo a lot of those programs. So when the Senator from Texas says we are not cutting enough, I am going to give him a golden opportunity this fall in the appropriations process to cut a lot more spending.

The Senator from West Virginia alluded to the cost of the super collider. I am the ranking member on the Energy Committee, and I never will forget when Admiral Watkins, Secretary of Energy, came in and said this thing is going to cost \$4 billion. And I thought at the time, well, maybe there is enough meritorious science there; physicists say if you just give us \$4 billion, we can find the origin of matter. The Senator from West Virginia says you can find all that in First Genesis and you do not even have to spend a penny. Then later on he comes back and says the cost is now up to \$5.9 billion, and if it costs a penny more than that, count me out.

Within 18 months, Mr. President, it was up to \$8 billion. Do you know what it is up to now? Twelve billion dollars to construct it. Cost overruns everywhere. Do you know what the lifetime cost for 25 years is? Twenty billion dollars. Do you know something else? There is a French-German-Italian-Swiss consortia being built in Geneva that will be completed long before ours is to do the very same thing. We could not join that; that is only a 25-mile racetrack. Ours is 55 miles, and it is in Texas. It has to be twice as big as anything else.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BUMPERS. I will be happy to yield.

Mr. BYRD. Does it not strain the Senator's credulity to listen to the great orations about these fictitious lists from Senators who are unwilling to look at real waste that we have already started appropriating moneys for and which, as the distinguished Senator from Arkansas has said, will cost billions more in the future, and the es-

timates will probably fall short of the ultimate cost?

Mr. BUMPERS. Let me make this observation. The Brown amendment—I know the Senator from Texas thinks I am picking on him by now, and I am. But he talks about the Brown amendment. The Brown amendment said it would cut this bill by \$100 million and none of these projects can be funded. That is fine with me. I am not going to vote for it because they are not even in the bill. This is silly. We all know this is made for 30-second spots.

Betty Bumpers is a good friend of the wife of the Senator from Oregon. They were out in front in the peace movement long before anybody else in the country. Everybody here knows that. I told my wife when she got involved with that peace movement that she was going to get me beat.

It turned out that people respected her for having an independent mind. She gives you humility lessons at my house in the evening. It is nice to have somebody around. This Senator needs that.

She told me during the campaign, she said, "Do you know what is wrong with you politicians? You think every time the American people see a 30-second spot they take leave of their senses as though they do not have enough sense to look through it, see it for what it is." We all know it, 30-second spots—deadly. We all know that the Brown amendment is designed to do only one thing, that is, make a 30-second spot over things that do not exist.

Let me make one other observation. The Brown amendment alluded to \$100 million. The super collider would cost 200 times that much.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BUMPERS. I am happy to yield.

Mr. BYRD. Mr. President, I compliment the Senator on the fine statement he is making. He referred repeatedly to the amendment that was offered by the distinguished Senator from Colorado [Mr. BROWN]. The community development block grants in the past under Republican Presidents have been used for the kinds of items referred to in the Brown amendment.

For example, Secretary Pierce—I wonder whatever happened to Secretary Pierce. I do not hear much about what happened to that case. But in any event, for example, Secretary Pierce used CDBG grants, discretionary funds, to build a swimming pool in Long Island. I am not arguing whether or not that was good use or bad use of the funds. I am simply suggesting that Republican administrations have seen fit time and time again to permit Federal funds for these kinds of projects.

Mr. President, would not the Senator from Arkansas agree that these newfound opponents to public parks and public recreation facilities, would the

Senator not agree that this newfound opposition seems to be an 11th-hour conversion?

The Senator can talk about the Bible. I do not happen to believe that everything and any point of view can be proven by the Bible. I will save that for another day.

Does not the Senator believe that this newfound opposition to public parks and recreation facilities seems to be an 11th hour conversion simply for partisan purposes to defeat the President's economic package?

The Senator is nodding his head in the affirmative. Does he agree?

Mr. BUMPERS. Absolutely. The Senator is right on target.

Mr. BYRD. Mr. President, if the Senator will yield further, Senators on both sides have been very interested I am sure to hear the Senators on the other side who have taken great license in attacking the President's stimulus package as laden with questionable projects. Repeatedly we have pointed out that those projects are not in the bill.

A number of the items cited as pork barrel projects are actually items—I called the attention of my colleagues—that were initiated with great pride by the Bush administration.

I will cite two examples. First, some Members have suggested that a portion of the \$197 million for NSF research grants will fund a study of religions in Sicily. This \$60,000 research grant actually was funded by the Bush administration at NSF. Funding for the study ended in January.

Second, some have argued against the \$23 million requested for the so-called green program at EPA. The goal of these programs is to encourage large corporations to convert to the use of more energy-efficient equipment. This program was begun with great fanfare by the former Bush EPA Administrator Bill Reilly to cut energy consumption at large companies by installing things like more efficient heating and lighting systems.

But does the Senator from Arkansas, who is an observer of current events—the Senator thinks for himself, a Senator who when he speaks, speaks with common sense—does the Senator think it ironic that measures begun and funded by the Bush administration and supported by our Republican colleagues at that time became the subject now of such a partisan attack?

Mr. BUMPERS. I think one could reasonably say that there may be a little partisanship involved in this, Senator.

If I may just say, for example, I hear these arguments only on the other side of the aisle.

For all these years we have gone through Gramm-Rudman-Hollings, we voted on constitutional amendments. And now here is an honest to goodness \$502 billion reduction in the deficit

over the next 4 years and not one single soul can find it in their heart to say that I think it is high time—not one.

Mr. President, of course some spending is going to go up. Social Security COLA's are going to continue, some things are going to be cut. But what you never hear is, it is not that the deficit in 1998 would have been upward of \$400 billion if we did nothing. It is always just think if we adopt this whole program, we are still going to have a \$200 billion deficit in 1998. You never hear that if we do nothing, the deficit is going to be \$400 billion. Why, there is going to be some increase in spending for some of these programs. And those are the kind of distractions that they would have the American people focus on and not on the main event.

The main event is, Mr. President, that by the year 2003, 10 years hence, if we do nothing—which is what we have been doing the last 12 years—the national debt will be \$7.3 trillion. And what little chance my children or grandchildren will have in controlling that.

I just want to say that surely to God some day there will be an outbreak of sanity on this floor, and we will be able to tell the American people things really have changed, and we are serious; we are going to change the way we finance our elections; and we are going to change health care. I must say, if we change our ethics around here much more, I am going to have to hire three new aides just to go through it.

The other day when Ross Perot was lecturing everybody about ethics, I wanted to say: Mr. Perot, our ethics book is about that thick. How about your company? Do you have an ethics book that thick? You flew up here on a jet this morning. We could not do that without violating the rules. You have a limousine pick you up at the airport. We could not do that. Then you come over and lecture us about ethics.

I have nothing against him. He grew up in Texarkana. I used to talk to him on the phone occasionally. I have nothing against him. All I am saying is, Congress has never been in much favor with the American people and perhaps never will be. But I must say some of us who do our very best to toe the line around here often get a little chagrined at those who are—what shall I say—holier than thou. I yield the floor.

Mr. DORGAN. Will the Senator yield?

Mr. BUMPERS. I yield the floor.

Mr. DORGAN. I appreciate the Senator yielding. I want to underscore a point he made that I think is important in this debate. I have listened with attentiveness to the discussion that has been before us now for some hours regarding the amendment of Senator BROWN. The implication is to propose an amendment to delete spending that is not in the legislation that is before us. And the discussion of that sug-

gests that somehow this building is full of profligate spenders who try to find the most egregious abuses of public spending and forward them to see if we cannot demonstrate that we simply have no ability to discipline ourselves.

In fact, that is not the case. The measure before us cuts Federal spending and cuts it in a significant way.

It is not true that the legislation we are dealing with that involves a stimulus to this country's economy contains the provisions that were articulated on this floor, 40-some provisions. That is not included in the legislation. To take them out of a bill they are not included in is a charade, in my judgment.

The reason I came to the floor when the Senator was speaking is that I want to underscore the mouse at the door and the gorilla in the room here. I say that \$103 million is not insignificant. If there is \$103 million in waste, I am going to vote to get rid of it. There is too much waste in the Federal Government. This is a behemoth, this Government, that spends too much money, often on the wrong things. But while we play around sometimes on these little vanishing games, and projects in this case that do not even exist in this bill, the Senator from Arkansas, for years—and I have watched this as a Member of the House of Representatives for years—has been on this floor taking on the big issues, the areas where we really spend money.

I say to those that want to cut spending in a significant way, I will tell you how you can cut spending by 700 times your proposal right now, this year: Get rid of the space station. It is a boondoggle. It should not be built.

The Senator from Arkansas has fought that battle, and I assume he will fight it again this year. Get rid of the super collider. It is a waste of money. It should not be built. Stop star wars. It is nuts. It is over.

The cold war is gone and done, and we ought not continue to spend money we do not have on a weapons system we do not need. Get rid of the space station; stop the super collider, and stop this nonsense called star wars. Save \$7 billion this year—not over 5 years, but this year—save 700 times as much money as these folks are talking about.

Of course, they are talking about something that is myth, not real. These projects are not in the bill. If you really want to save money, I say to my friends in this Chamber, join us. I assume the Senator from Arkansas is going to be on this floor again on all three of these issues.

Mr. BUMPERS. And many more.

Mr. DORGAN. I am going to join the Senator and fight very hard to see if we cannot really cut Federal spending, big spending, and cut some of the big projects we do not need. These projects develop a life of their own and it does not matter how well they are managed. It no longer matters whether they are

needed. They become a project that has its own life, and you cannot kill them. The heck we cannot; we ought to if they are not needed. They are wasting billions of dollars in the taxpayers' money—not a few million dollars, but billions of dollars.

I underscore the point of the Senator from Arkansas, that there is money to be had in spending cuts. But it is in the big projects, it is in the projects that a lot of folks here, who yell the loudest about public spending—it is in the projects they will not tackle. They will not tackle it because it is tough business to shut those projects down. That might really hurt somebody in their districts. But it is something we must tackle if we are going to control Federal spending.

I admire the work that the Senator from Arkansas has done in all three of these areas, and I look forward to joining him this year.

Mr. BUMPERS. Mr. President, I have yielded the floor and will yield the floor again momentarily.

There is the space station, and that makes the super collider look like peanuts. A House study shows that the space station, over the life of it—before all of these cost overruns GAO told us about—will cost \$200 billion. Bear in mind, that is 2,000 times more just for the space station than the Brown amendment of last night.

The super collider was supposed to cost \$4 billion—everything starts out here at \$4 billion. And the lifetime cost is up to \$20 billion.

Star wars. We tried our very best to get it cut last year and, finally, we got a \$500 million cut. Incidentally, that is five times as much as the Brown amendment.

The solid rocket motor. We can save \$3 billion there. We do not need it.

The Trident II missile, the D-5 navy missile. We have more warheads than the START Treaty allows us, and we are going to continue to build a missile that we can save anywhere from \$10 million to \$15 million on by torpedoing it right now.

The intelligence budget. I do not know what it is. The New York Times says it is \$29 billion, \$30 billion. All I know is that it ought to be about half what it used to be.

I can go on with all of those things, such as aircraft carriers, you name it. Do you know what my high-water mark on those are? Senator SASSER and I stood here pleading with people to cut this. Our high-water mark on the other side was eight votes. We are going to do better than that this year. A lot of people are coming to the conclusion, because of cost overruns and because—it is like the B-2 bomber and the B-1 bomber. They changed the mission. Every time you have a failure, it looks like the thing is not going to fly, they change the mission. Star wars has discarded about seven of the eight technologies they have tried.

So you are going to see the space station downgraded. It is not as big as it was. What is it going to do? It is going to do the same thing as always: Nothing. Do you know what a job on the space station and super collider costs, Senator? It costs \$100,000 per job. Do you know what highway jobs cost? About \$16,000.

We are trying to get people to work because, as I said earlier, there is an emergency in this country. If you do not have a job, if you have a child sick and do not have any health insurance, or if you have a child wanting to go to college and you cannot send him to the local community college, those are emergencies.

I can tell you that when you do not do that, you see the deterioration of the status of this Nation.

Let me digress one more moment, and I will yield the floor.

You talk about the crime rate today. The other day the Senator from Arizona—a very courageous Senator, Senator DECONCINI—offered an amendment to stop the sale of so-called military assault weapons, with no questions asked. When I was in the Marine Corps, we had a BAR; every squad had a BAR. That is an acronym for Browning automatic rifle. The guy in the squad who had the BAR was considered about the top guy in the squad, but he did not feel that way because he had to carry that sucker and it is heavy.

The other day Senator DECONCINI had a press conference, and there was a big table in front of where we were standing with all these covers over what were obviously these weapons. Everybody walked up and made a little speech—a little dog and pony show. Then they pulled the cover back off those weapons. It took my breath away. Even I, an old marine, was not prepared to see that kind of weaponry which you can walk into almost any gun shop in America and buy with no questions asked.

Why, no wonder the murder rate tripled among kids between 1985 and 1990. No wonder the drug dealers have the law enforcement officers outgunned. No wonder the Waco whacko did have more firepower. They had 200 AK-15's in there converted to machineguns, which on most of them you can do for a song and a dance.

I can tell you one thing. I believe the American people are really beginning to think carefully about a whole host of issues. We have been distracted, deceived, and misled. Now you have a President who has a bully pulpit, and he is beginning to talk sense. People are listening, and they are hopeful.

I am not just hopeful. I am going to help him. I am going to vote. I will not vote with him all the time. I will cast a vote I would rather not in order to be supportive of him, but I am not going to take leave of my senses or violate my conscience.

I am saying he is not this Nation's last best hope. He is the Nation's only hope.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I am told that Mr. DOLE will be in the Chamber shortly.

Mr. President, on last Friday, again on yesterday, and again today, I indicated that I was prepared to lay down a motion to recommit to the Appropriations Committee with instructions to report back forthwith the House bill and the Appropriations Committee substitute, as amended subsequently by the Hatfield-Byrd amendment. I am prepared to do that.

I would add this: It would be my feeling that it would be advantageous to all Senators if that motion to recommit with instructions to report back were agreed to immediately without amendments to the instruction.

Then, if that were done, may I say to my good friend from Oregon and my good friend from Arkansas, what would be before the Senate would be a committee amendment and a substitute, as I have described it. I would also include the now pending perfecting amendments which simply offer stronger guarantees that such frivolous items as we have heard discussed would not be funded.

Then Senators could go at the newly reported-back bill and the committee substitute with their amendments. They could line up amendments, add as many as six if they wished to, or they could call up one amendment, have it voted on, call up one amendment and offer an amendment to the amendment and have it voted on, and let the Senate work its will. That is what I have been interested in all along, getting the Senate to work its will.

I have offered to do this, and this has been discussed with the majority leader and the minority leader. The minority leader indicated earlier that he was prepared to offer a motion to recommit. His motion to recommit would not be as broad as the motion to recommit with instructions that I have in mind because mine then would afford greater opportunities to offer amendments. It would be much broader. And I am prepared to do that.

But I guess what I am asking is, before the Republican leader gets here, if someone would inquire of him if he is agreeable to my offering the motion to recommit with instructions and having no amendments to the instructions. Amendments to the instructions do not afford much opportunity for Senators to get Senate decisions on the issues. If the Senate would agree to that, immediately within the bat of an eyelash we will have back before the Senate a new battlefield bill, a committee sub-

stitute, and then Senators, including Mr. DOLE, could offer his amendment which could contain the same substance that he had in mind with reference to a motion to commit with instructions to report back.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. BYRD. Yes, I yield gladly.

Mr. HATFIELD. Mr. President, I thank the Senator for yielding.

The Republican leader has been notified and is just in the finishing moments of a group meeting that is from off the Hill and, therefore, will be here shortly.

Let me, if I could, clarify for my own understanding so that I may discuss this matter with the Republican leader.

As I recall in the committee, when we were considering the markup of this supplemental appropriation we received from the House, the chairman of the committee offered a substitute for that House-passed bill. That substitute basically dealt with a formula relating to the Summer Jobs Program as far as the major change from the House version.

At that time the committee heard discussions within the committee about other matters, but basically that bill has the substitute that came to the floor.

The Senator from West Virginia then at that time, as chairman of the committee, offered an amendment, which I cosponsored, to identify those references made in the House debate, the few items within the CDBG that could be funded out of the CDBG.

In order to respond to those, we made language for two things. One, that moneys could not be expended to construct those projects or those studies, and second, we urged the Secretary of HUD to publish criteria which would govern in future other CDBG programs.

Then, as I recall, the chairman of the committee offered, in what precise order I do not recall now, two other amendments to change the money figure in the IRS and one other account. One was about \$5 million and the other was about \$123 million, something of that order.

So that became then the vehicle upon which a second-degree amendment was offered, in effect shutting out any other amendments to that vehicle as then constituted.

Am I correct thus far?

Mr. BYRD. The Senator is correct thus far.

Mr. HATFIELD. We have proceeded since that time to have discussion and debate on various subjects, both procedural and on substance and now the so-called Brown amendment, which was to further reference back to the so-called Byrd-Hatfield amendment identifying by reference some of the projects that had been recommended by the mayors in our discussions even though they are

not part of the actual bill itself. We have had a vote on that, and that was 52 to 48.

The chairman has now an amendment pending before the Senate on the same vehicle, further clarifying future instructions this time to the Director of OMB about funding such potential CDBG grants.

If this is adopted, and if, in the case of the Brown amendment, it was adopted, addressing and finalizing the current pending question, both the chairman's amendment and the Brown amendment, if it had passed, would have been cleared off, wiped out, so to speak, under the current parliamentary situation from the pending question.

Now I understand the chairman has indicated that on a motion to recommit this vehicle, this bill, with instructions, that immediate action on that, with the incorporation of the current amendment in the new vehicle embodied in it, with that one exception, the bill then would be back here before us open for amendment by any Senator without the current encumbrance that we now have in the current vehicle; is that correct up to this point?

Mr. BYRD. That is correct.

Mr. HATFIELD. So that a Senator on either side of the aisle, any Senator, including the chairman and myself, could offer an amendment to that particular vehicle, which could, in effect, be amended in the second degree and have those amendments voted on up or down. And if they were voted in approval by the body, they would be a part of that package, unless further parliamentary action. And we understand that can happen in the future, a substitute or something like that.

But, on the general procedural basis, we would have that open situation where we could offer amendments, have them disposed of, have them adopted or have them rejected in the usual, normal pattern that we follow when appropriations bills are brought to the floor.

Mr. BYRD. I followed the Senator and he is absolutely correct.

I would only suggest, where he made reference to the amendments that would be voted up or down, a tabling motion could be made.

Mr. HATFIELD. Or a tabling motion.

The normal procedure subject to any amendment.

Mr. BYRD. The Senator is exactly correct.

Mr. HATFIELD. Mr. President, I would say further that I will certainly lend my voice to the chairman's proposal here. Because I feel, frankly, that it puts us in precisely a position, from a parliamentary point of view, that many of us on this side of the aisle have been talking about for some period of time now, off and on. We have not done all the talking. We have done our fair amount.

But I do feel that the Senator has very specifically addressed one of our

problems in dealing with this measure before us. The feeling that we have had, right or wrong, and certainly always in the context of the rules of the Senate—and I in no way imply other than the rules have been very strictly followed—but, nevertheless, we felt that the playing field was very uneven from the standpoint of not just the Republican Members but any other Members of the Senate. Because this action was not geared against the Republicans, but really, in effect, it was an action that froze out, from our perspective, 99 Senators out of 100 from having amendments offered and possibly adopted as part of the vehicle.

So I would just say to the Senator, I would be happy to support the Senator's motion. I am speaking now as a comanager, not as the Republican leader. But I shall confer with the Republican leader and hope to have his affirmative response very quickly.

Mr. BYRD. Yes.

Mr. HATFIELD. I want to make one reservation.

As the Senator remembers, we were in informal discussions, the Democratic leader and the Republican leader and the comanagers of the bill, in which the Republican leader indicated the possibility of wanting to utilize the opportunity of amending the chairman's motion to recommit with a second degree; in a sense, recommitting on an instruction of paring down the scope of this bill.

Now, again, whether he wants to do that immediately as a second degree to the chairman's motion or whether he would prefer to withhold and let that be taken up as one of the amendments to the motion that is being proposed by the chairman, I do not know. But I want to leave one point a little flexible.

Mr. BYRD. May I observe that, in that situation, if the Senator from Kansas offered an amendment to my motion to recommit with instructions to report back, his amendment would not be in the second degree. His amendment would be in the first degree and it would be subject to an amendment in the second degree.

Mr. HATFIELD. Or a tabling motion.

Mr. BYRD. But, even then, it would not accomplish a great deal.

If we fight and fuss around about a motion to recommit with instructions and attempt to amend those instructions, they can be amended in two degrees, and that is about it. So that does not leave much room for throwing the ball, kicking the ball, carrying the ball, and fumbling the ball.

But if we agree to my motion to report back forthwith this bill, the House bill, the committee substitute, then the committee substitute is open to amendments in two degrees, as substitutes if need be. It is open to amendments in two degrees, perfecting amendments, and the bill is open to amendments in two degrees.

So we have at least six opportunities to offer amendments and have them all pending at once, if that is the will of the Senate. I doubt that is going to occur.

But if we attempt to amend the instructions, we only get two amendments; perhaps Mr. DOLE will get his amendment in and then there could be a covering amendment.

So it would be my hope that we could just simply agree to let my motion be agreed to, then we immediately have a new playing field.

May I add, once again, as the predicate here—let me go back a little bit, as the distinguished Senator from Oregon has reviewed the recent past—the President asked me to protect his package. I could not shift this responsibility off to another Senator. I am chairman of the Appropriations Committee. And the chairman of the Appropriations Committee handles supplementals, just as the chairman of the Appropriations Committee in the House handles supplementals. Various subcommittees handle the departmental bills. The chairman of the full Appropriations Committee here has a subcommittee also.

But supplemental bills—bills making appropriations for disasters, emergencies, and so on—these measures were handled by the chairman and the ranking member of the full committee.

So that explains why I have attempted to do what I could to protect the President's package. I said, "Where is your line in the sand?" We have gone all over that. And we knew that he drew that line in the sand. So I tried to do that.

I also felt that if the package could be protected against amendments, the House then would probably agree to the amendment that we adopted in the committee, probably agree to the amendment that Mr. HATFIELD and I offered together, would probably agree to the amendment that I offered on behalf of Mr. DECONCINI to cut, I believe it was, \$105 million out of IRS and GSA, and we would not have to even have a conference and the bill could then go on to the White House.

The House sent this bill over here intact. It sent the President's package over here pretty much intact. So it was my feeling and the President's feeling and the majority leader's feeling, if we could pass it over here intact, then the ball game is over. So I sought, within my rights, to establish that kind of parliamentary structure that would protect the bill.

Now, I was very concerned that we should not remove those barricades, if I might use a different term, as long as the amendment by Mr. BOREN, Mr. BREAU, and Mr. BRYAN was lying at the desk. It was not pending but we all knew that those Senators had made a good case for their amendment and there was every likelihood they were

going to call it up and there was every likelihood that they would get a goodly number of votes, at least. And I felt that it was vital to protect this bill from attacks as long as we had not resolved this big question over here, which was dividing the majority. Therefore, last Friday, I did allude to the possibility of moving this bill in another way. And yesterday when it looked as though the weekend's efforts to resolve the matter as to fencing were going to pay off—I was down at the White House last Friday, again talked with the President, and was on the phone with people during the weekend, I was being kept abreast with the developments in that regard—and then yesterday I again talked with Mr. BREAUX. I talked with Mr. BOREN. I am not sure I talked with Mr. BREAUX. I think Mr. BREAUX was away from his office and on his way to the majority leader's office.

In any event, these discussions went on through the weekend and when I came to the Senate yesterday morning, there was every good reason to believe that the Breaux-Boren-Bryan issue was going to be resolved to the satisfaction of those parties and to the satisfaction of the White House. Therefore, I again indicated that I was prepared to send up such a motion.

That matter concerning the fencing has been resolved. I am prepared now to lay down a different playing field. I know that Senators will understand why I am here doing the talking today. It is because it is my bill. I will call it my bill—Mr. HATFIELD's as well as mine.

I am prepared to do that. I do not want to see this President go to Vancouver on Sunday to meet with the Russian President with this bill mired in a filibuster. I want to get this bill passed before Sunday. That should be the wish of every Senator, that this President not go to Vancouver to meet with the Russian President without getting this matter settled beforehand. How can our President, our newly elected President, who has been in office 69 days today—how can he convince Mr. Yeltsin that he, Mr. Clinton, can get a package through this Senate providing for investment or economic aid or whatever it might be—how he can get that package through this Senate when this Senate will not pass a package that this President of ours wants which would provide aid to the American people?

I know there are Senators who have taken this floor from time to time and said we should help Mr. Yeltsin. We should help Russia. How can they do that, how can they take that position, unless they are also willing to help the American people? How can they believe that the American people will be receptive to the idea of extending aid to Russia when we deny aid to our own economy in the form of funds for high-

ways, summer jobs, unemployment benefits—extended unemployment benefits, funding for infrastructure, water and sewer facilities, funds for Head Start, immunization of children, veterans hospitals? How can any Senator stand here and advocate extending aid in terms of American dollars to Russia if that Senator is not willing to think of the American people first and vote for helping our country, helping our country to avoid a triple dip in the recession? Helping our people to get off the food stamp rolls? Helping our people to reduce the AFDC roll?

So, I want to see our President go to meet with Mr. Yeltsin not with a broken wing, not with two broken wings and two shattered kneecaps, but with this work done. Then he will be in a position to perhaps convince Mr. Yeltsin that he, Mr. Clinton, can—he is getting things done here.

I do not want to see this Senate mired in a filibuster come Saturday or Sunday. So with the desire to get on with this thing and get it out of the filibuster mode, I think the time has come to move in that direction. I am willing to take that action and it has been discussed, may I say again, with both leaders. Mr. DOLE recognizes Mr. MITCHELL's right of first recognition and we recognize Mr. DOLE's right to offer an amendment. So I am prepared, when Mr. DOLE arrives, if he is agreeable to that, I am prepared to proceed.

Mr. HELMS. Will the Senator yield? Mr. BYRD. First, may I yield to the ranking member and then I will.

Mr. HELMS. Of course.

Mr. HATFIELD. I again want to affirm my belief that the chairman has made a move to help resolve at least the procedural problems that we have been facing here since this bill first was introduced on the floor. I would like to also respond briefly to the point that the Senator made in reference to a filibuster. I want to assure the chairman that I am wholly persuaded that there is nothing that has happened up until this point that would indicate that we, on this side, have filibustered or delayed the process of this bill unduly. I think if one would go back and measure the inches—maybe it is feet—in the CONGRESSIONAL RECORD, I think one would find that the time of discourse has been pretty evenly divided.

If anything, maybe we are a little on the shy side because the first day and a half was pretty much taken up with the Breaux-Boren discussion. So I do not think there is any indication that this has been a weapon or a legislative procedure that we have engaged.

I do not say that at some point that option is not always open to either side, everybody. So I only want to say that has not been our intent.

I want to also say, as a comanager, we have had a number of meetings of our Members in caucus and in leadership meetings and other formats in

which we have discussed the process here. And the single most important issue raised in all of those discussions has been the question of the playing field. Now the chairman has taken action, or at least is proposing action, to eliminate that.

I think the chairman would believe, as I, that the amendment that was raised by this side of the aisle was a substantive amendment in terms of the Brown amendment. You may agree or disagree with it. The point is, it was not a dilatory amendment. We were getting to the crux of a very important issue, and that further demonstrated our desire to participate in the process, to raise legitimate questions that any Member on this floor would expect could be raised.

Let me indicate that as the vote indicated and as the discussions have prevailed thus far, there have been Members of the Democratic side of the aisle who have expressed concern about certain points of this package. So it is not a matter of being challenged by the loyal opposition, the Republicans, but there have been a few Democrats at least who have publicly and otherwise expressed their concern.

So, again, I would like to remove any possible interpretation that this has been a partisan endeavor or has been an attempt to obstruct the President or to block the President. I cannot read peoples' minds, but I am only saying that none of the procedures engaged in by this side of the aisle should give any evidence whatsoever to a dilatory or a "block the President at any cost."

I might say to the Senator, in my view, if we had an up-or-down vote on this whole package, there would probably be very few votes on this side in support of the package. That is our belief. It is not based on trying to block the President, but it is our belief, as has been very eloquently stated by Members on my side, that this is not going to produce the jobs nor is it going to be a stimulus to the overall economy or ill-timed, or whatever other reason.

But I just want to reassure the chairman, filibuster, blocking, obstructing the President, tying the President's hands before Vancouver is not on our agenda—is not on our agenda.

I would also say that if you want to go back to a demonstration of a President's capability up here on the Hill, we went through the budget resolution and, as the chairman of the Appropriations Committee knows, I think there were dozens of amendments that were raised and voted, and the administration position won on every one of them. It was a clean sweep. I want to say that I voted for the tabling of some of those amendments. I did not vote any straight party line. But I do think it certainly should illustrate to Mr. Yeltsin that President Clinton does have muscle that has been demonstrated up here on the Hill.

I do not think that this bill alone should be a measurement of the President's ability to get his legislation through. I would imagine, too, that the last two votes this morning, as well, notwithstanding the one last night, indicates that when push comes to shove, there are 52 votes, at least as expressed by these 2, that the majority party has and has demonstrated.

So I do not think there is at this point any evidence or I would like to disabuse anyone of thinking we have any reason to block the President for the sake of blocking the President or tying his hands or filibustering this particular measure at this time or any point up to this time.

I shall again assure that chairman that I am hopeful that we can reach an agreement quickly on his proposed motion and get on with the process to ultimately complete this bill one way or the other, amended or not amended. And I am willing to take the risk with the process because, like the chairman, I believe in the institution. I think the rules and procedures of this institution are there to guide us and to give protection to minority as well as majority status. As the chairman knows, I have been in both situations. I and the chairman himself have been in both situations. I might say, it is much more pleasant to be in the majority status. By the same token, having been in both positions, I think we both can understand our relative positions at this moment.

I shall urge the Republican leader to make known his decision as quickly as possible.

(Ms. MIKULSKI assumed the chair.)

Mr. BYRD. Madam President, I certainly never thought that the distinguished Senator from Oregon was participating in any filibuster. I think we have passed on from that stage.

I wonder, since the distinguished Senator from Oregon has said that the filibuster is not on our agenda, and I believe him when he says that, I wonder if the minority could provide the majority with a list of amendments that our Republican friends intend to call up. I discussed this yesterday, it had been discussed yesterday among Mr. DOLE, Mr. MITCHELL, myself, and Mr. HATFIELD, and we thought we were on the way to getting a list of such amendments. Suddenly that effort fell apart.

I am glad to hear that a filibuster is not on the agenda. I was somewhat gun shy when I read that we were going to start dealing with real bullets now. Up to the time that the budget resolution was adopted, as I understood what is being said, that we have only been dealing with paper bullets and from now on there will be real bullets. And so I thought having gotten that warning and not wanting to go through what I consider to be quite a charade last Wednesday night and last Thurs-

day morning of calling up amendment after amendment after amendment when there was no chance, hardly any chance, of an amendment being adopted under those circumstances when they were being defeated repeatedly, I felt that the better part of valor was to be prepared and try to avoid those real bullets, such as were being fired that evening and the following morning. I am glad to hear that there will not be any filibuster, and I believe Mr. HATFIELD.

Mr. HATFIELD. Will the Senator yield at that point?

Mr. BYRD. Yes.

Mr. HATFIELD. Let me restate my comment about the filibuster. I said there has not been a filibuster on our agenda up to this point. I cannot commit other Senators. I do not know any Senator who may decide all of a sudden that it has not gone according to his or her wishes and would like to engage in extended debate. I cannot control that.

I am saying that as the comanager of the bill, the filibuster has not been on my agenda.

I have kept very close to the Republican leader throughout this, because I feel that in my role I am supposed to represent as many as possible of the Members on this side of the aisle, not just my personal view. But, nevertheless, I want to say that has not been—we have been in a situation where from a parliamentary procedure a filibuster could have been the first action out of the bag in order to level this playing field as we see it from our perspective.

Now, with this proposed motion, that removes one of our major points of contention, relating to the process of procedure and the playing field. So I would think with this motion that is being proposed, we even make less likely the need for a filibuster if we can get our amendments up and considered and disposed of, and that is the point I want to make. From my standpoint as the comanager of the bill, it is not on my agenda, again, at this time. I have to emphasize that point.

Mr. BYRD. Mr. President, I fully understand—

Mr. HATFIELD. We have only offered one amendment. I would like to add that one point.

Mr. BYRD. Yes.

Mr. HATFIELD. So nothing dilatory or delaying has occurred.

Mr. BYRD. Yes.

Mr. HATFIELD. Talk has taken up most of our time and that talk, as I say, has been on both sides of the aisle. And I do feel, having offered only one amendment should allay any fear that we are using dilatory tactics to put this bill off for approval at some other time.

Mr. BYRD. Only one amendment has been offered. I have tried to encourage Senators on both sides to proceed with amendments. They have not taken me up on that. But I fully agree with the

distinguished Senator that his intentions are, have been, and I am sure will be in the future to try to move the legislative agenda forward in a positive way. And he has certainly carefully and admirably fulfilled the role that he has to play for the other side of this bill and on other bills as far back as I can remember. So there is no question about my admiration for the Senator in that regard.

But I think it should be said, if I might pick up a ricochet off what the distinguished Senator stated awhile ago, a filibuster at the beginning would not have removed these barriers. I can assure the distinguished Senator from Oregon of that. That would not have removed the barricades.

Mr. HELMS. Madam President, will the Senator yield?

Mr. BYRD. It was suggested to me at one point that I take down the tree. I said I will not take down the tree. So a filibuster would not have accomplished that. But events have moved on past that stage. Now we are at a new juncture. The amendment that involved Mr. BOREN and Mr. BREAU and Mr. BRYAN has been resolved. We are ready now to lay down the motion to commit with instructions so that Senators can move on. I do not want the Senate to get mired down.

The President is going to have an important meeting. I think we ought to show him the kind of support that he needs in meeting with the Russian President, and the kind of support I am talking about is the action on this bill, relatively speedy action, certainly not to go beyond Friday or Saturday, and I want to do all I can to move it forward and to protect it against amendments.

I would still like to see this bill unamended beyond what it has already been amended, so that perhaps the House could agree to these amendments and we would not have to have a conference. But that having been said, the distinguished Senator from North Carolina [Mr. HELMS] wanted me to yield to him.

I have no interest in keeping the floor, may I say. I simply wanted to get word to the minority leader that I was prepared to offer this motion. But I had hoped we would not have amendments to the motion to recommit with instructions.

Madam President, again I state for the benefit of those who may not have already heard, the motion to recommit would be with instructions to report back forthwith the House bill and the single change that was made to the House bill in the Senate Appropriations Committee and contained in the complete substitute, the amendment that was agreed to on behalf of Mr. DECONCINI providing IRS information systems with \$43,600,000 instead of \$148,397,000, the reduction of the GSA building fund to zero instead of \$4,696,000, the Byrd-Hatfield amend-

ment on low priority programs, the OMB requirement on preventing funds for low priority programs as contained in the perfecting amendments which are now pending before the Senate.

My attention has been called to the fact that the Senate has not yet voted on the IRS information systems amendment, the amendment that would make the reduction. That amendment is in the pending committee—the pending substitute to the substitute to the committee substitute. But these would all be included in the bill and substitute reported back to the Senate if my motion to recommit should carry.

Mr. HELMS. Will the Senator yield?

Mr. BYRD. I yield to the distinguished Senator and I thank him for his patience.

Mr. HELMS. Bonjour.

Mr. BYRD. I apologize for having him wait.

Mr. HELMS. We did not have a filibuster going, but we certainly did have extended discussion. There must be a difference between the two. Anyway, I always enjoy my friend from West Virginia and admire him, and I wonder if he would be willing to tell me his plans with respect to the motion to recommit. Does the Senator want to preserve the pending amendment relative to OMB?

Mr. BYRD. To OMB?

Mr. HELMS. Yes.

Mr. BYRD. The pending perfecting amendments.

Mr. HELMS. Yes.

Mr. BYRD. Yes, I would want to include those in the pending instructions. I think that is an additional guarantee for those who may have doubts that the items such as have been discussed here ad infinitum almost would not be funded.

Mr. HELMS. If the Senator will forgive me, I have a problem with that amendment. I want to vote for the motion. I want to vote for the amendment. But as I read the amendment as it now stands, I fear—and I have been supported by a couple of constitutional scholars—that it is not constitutional to designate the OMB or the Director of the OMB. I was wondering if the distinguished Senator would be willing to consider modifying his amendment to satisfy my concern. I will furnish him a copy of what I have in mind if he would like.

Mr. BYRD. I do not think there is anything unconstitutional about the amendment. It would be the designation of an executive officer. But I will be very happy to look at the amendment and to take it under—

Mr. HELMS. That is all I can ask, I say to the Senator. Let me read what I have in mind into the RECORD so that it will be understood.

It says:

Notwithstanding any other provision of law or this act, the Office of Management

and Budget shall, after certifying that all actions proposed to be taken pursuant to this section are at the specific direction of and following consultation with the President, administered—

And then pick up the rest of the Senator's amendment.

Madam President, would the Senator modify it with language to take care of my concern that the President is being left out of the loop regarding this authority that is being bestowed upon the Office of Management and Budget? I will feel more comfortable about it and I will have no hesitancy about voting for his amendment or the motion to recommit with that amendment included in it.

I am not asking the Senator to make up his mind at this moment. But if he will let me know whether he is willing to consider something of that sort, I would be most grateful.

Mr. BYRD. Madam President, I would be very happy to consider the amendment, and it is being looked at presently. I will be happy to get back to the Senator as he has suggested.

Mr. HELMS. I thank the Senator.

Mr. BYRD. Madam President, I do not want to continue to hold the floor. I simply wanted to outline the reasons why I feel that it is time now that we move on and that I am prepared to do that in the way that I suggested.

I am happy to yield the floor. It is understood by the Republican leader and the majority leader that I will offer this motion. And as soon as I can hear back from the distinguished Republican leader that he is agreeable to having the motion to recommit agreed to without attempts to amend the instructions, then we can quickly move on.

I would only ask that at that time we might have the opportunity again to get recognition and to move forward.

Mr. NICKLES. Will the Senator yield for a question briefly?

Mr. BYRD. Yes.

Mr. NICKLES. I apologize. I did not hear all of the Senator's statements on the motion to recommit. But the net result would be that once you recommit and brought it back out, all Senators, Democrat and Republican, would have a chance to amend the underlying bill, as such, on appropriations as we have done in years past.

Mr. BYRD. Yes. The Senator is correct. I call the attention of the Senator to the advantage of moving in that direction rather than attempting to amend the instructions. If the Senator will compare the charts on page 74—and I do not see a page number on this, I believe it is 89—74 and 89, the Senator will see that this would be the better approach for all Senators. They will have a greater opportunity to offer amendments.

Mr. NICKLES. If the Senator will yield again, Madam President, then we will have the opportunity to offer

amendments to either add funding or delete funding from the bill as reported back from the Appropriations Committee?

Mr. BYRD. The Senators will have that opportunity.

Mr. NICKLES. I thank the Senator.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

ORDER OF PROCEDURE

Mr. DOMENICI. Madam President, I wonder if I might ask consent to speak for 2 minutes on a matter unrelated but very important to the Senator from New Mexico.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 671 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

The Senate continued with the consideration of the bill.

Mr. DOMENICI. Madam President, I do not need the floor if it is important that the leadership have the floor. At any time they need it, I will be pleased to relinquish it.

I would like to talk for a few moments on the fiscal policy situation as I see it.

First, let me suggest for the Senate and for those who listen to the U.S. Senate that a very interesting thing apparently happened last night in the White House. Let me recall a little history and indicate how pleased I am and how, in a sense, startled I am.

First, we debated the budget of the President for some 7 or 8 full days on the floor of the U.S. Senate, well over 30 amendments, and one of those amendments had to do with Western America and the fees that were going to be required in this budget resolution for royalties from miners and mining interests on public domain—and the assumption was a 12.5-percent royalty—and the increased fees to be charged to those who have grazing permits on the public domain.

On the floor of this Senate we debated that issue. Some suggested we ought not do anything because it would unravel the President's budget. Some suggested that we ought to let the committee take care of it. And some even suggested that if the committee took care of it, but if they did not do all that was requested, it would be all right, too.

Senator WALLOP, the Senator from New Mexico, and others offered a very clear amendment that said take out the user fees that are attributable to these two categories of user fees, and do not put them in a reconciliation bill because they ought not be considered under the gun with the limitations of

the reconciliation bill. We were told then that if we did that, if we passed the Wallop-Domenici amendment, we would unravel the budget.

Something happened in the White House between the floor and this morning. According to information I have obtained from Senators from the other side of the aisle and from a letter written by the chairman of the Energy Committee, Senator JOHNSTON, the White House has now agreed to just take all of those fees out, just like we recommended in the Wallop-Domenici amendment, which was going to unravel the President's budget. Unraveled it would have been if the amendment had passed, but I imagine it is intact and only unraveled when the White House decided that the politics of the situation are such that they ought to agree to take these fees out.

I am pleased, as I said, that those in Western America will be, in my State and other States with public lands, relieved of the onerous burden of waiting around for the next couple of months to watch a committee under the mandated orders to raise more user fees from these two categories—one of which has had no user fees, no royalties—just see how the action would fall without an opportunity for debate, without much opportunity for hearings. So I am pleased to be able to tell all of those people, thousands in my State and other public domain States, States wherein the Federal Government owns much of the land, that we have prevailed. Somehow or another the daylight has come to those who wanted to put on a royalty in a mandated order to a committee, and those who wanted to dramatically raise grazing fees. They have seen the light.

The proposed fees are all going to come out of this budget. However it got accomplished, I end up saying I appreciate it. I believe hard working people in the Western United States will appreciate it. I do not think westerners could have survived, keeping their businesses afloat and staying in rural communities if the Congress had enacted these fees on top of the Btu tax.

Having said that, I want to change subjects for a minute to the particular measure before us, the stimulus package, and share a few thoughts with my friend from Oklahoma.

First, I do not address the process or the procedure. That is taking its course with others working on it. I just want to share my observation with the people of this country about what is going on. So let me see if I can tell you the way the Senator from New Mexico sees it.

If you take the President's budget that the Congress of the United States has passed, that the U.S. Senate passed, and you take away all of the gimmicks and all of this baseline business and just get down to facts, Congressional Budget Office facts, two-

thirds of the United States' budget is domestic spending. Appropriations and entitlements and mandatory expenditures for domestic purposes are two-thirds of the budget, and they are growing dramatically, Madam President. Of that two-thirds of the American budget, after all the hues and cries about cuts and sacrifices, we are going to cut—I should not say we—the President is recommending and the Democratic leadership and Democratic Senate is saying: We are going to cut \$7 billion out of that entire program in 5 years.

So after all of the talk about ratcheting down Government, what is not told to the American people is that for the \$131 billion where the President has provided some indication of cuts on the domestic side of this budget, there is \$124 billion in new programs and new expenditures.

Just do the arithmetic. That is a net \$7 billion. We are going to cut a net of only \$7 billion more over the next 5 years then we are going to spend in new programs and new additions to old programs.

Is it not interesting that with \$7 billion in cuts in all of the domestic programs over the next 5 years, we are here on the floor of the Senate debating what? We are debating adding \$16.3 billion in new spending. Let us do the arithmetic, and let us make it \$16 billion. It is \$16.3 billion, but we will make it \$16 billion for a simple point. Let us subtract \$7, billion, which we have cut from the \$16 billion that we are going to spend anew. If the arithmetic is right, we are going to spend \$9 billion more, once we have passed this bill, and there will be no cuts in the domestic budget of the United States. Is that not an interesting thought?

The American people have been told: let us tax you; let us raise the marginal tax rates and put a Btu tax on, because we really have to get the deficit under control. In order to do that, we really have to cut spending, right? Cut domestic spending, sacrifice these Federal programs.

Let me repeat that if this stimulus package is passed, we will have just decided that we are going to spend \$9 billion more over the next 5 years on domestic programs than when we started this very, very serious process of cutting and deficit reduction.

Mr. DANFORTH. Will the Senator yield?

Mr. DOMENICI. In 2 seconds.

In exchange for that, the American people get the high privilege and honor of paying \$295 billion in new taxes. I would be pleased to yield to the Senator.

Mr. DANFORTH. Madam President, I was on the floor half an hour ago. The question was raised whether this is not some effort by Republican Senators to somehow hurt the President on his way to a meeting with President Yeltsin.

My own reaction on hearing that question was that it is nothing of the kind.

What we are talking about, and have been talking about ever since the President's State of the Union speech a couple of months ago, is what direction this country should take with respect to fundamental economic policy. If there is ever a subject that should be debated on the floor of the U.S. Senate, it is the question of the basic economic policy direction for this country. The issue, as I understand it—and my question is going to be whether the Senator from New Mexico agrees or disagrees with me—is not whether a tree has been filled up, or whether there is some procedural issue before the country, or whether Republican Senators have hurt feelings about somehow being shut out or whether we want to embarrass the President.

We are all Americans, and it is my understanding that, as Americans, we are weighing in on a question of basic economic policy. If the basic policy is to increase taxes by \$295 billion, and then instead of cutting spending, domestic spending, actually increasing spending, it would seem to this Senator that increased taxes and increased domestic spending are what they have usually been called, namely, tax and spend.

I believe that tax and spend economics have not worked in the past and that they are not inclined to work in the future; and that this is precisely the issue that should be debated before the country and certainly on the floor of the U.S. Senate.

When Senator BROWN offered an amendment that said let us at least cut the spending for golf courses, let us at least cut the spending for tennis courts, and there is no emergency on providing a warming hut for an ice skating rink, that, to me, is not a trivial matter. It is not a delaying tactic. It is a matter of fundamental economic policy.

Would the Senator from New Mexico not agree with this Senator that what we are interested in is raising the question and, hopefully, winning the vote on whether what the country needs at this particular time is yet more deficit spending on top of a huge tax increase and calling that an economic program?

Mr. DOMENICI. I agree absolutely and unequivocally, and I thank my friend from Missouri for asking me the question and so eloquently phrasing precisely the situation before the American people.

It can be put under any kind of guise or color or prose that one wants, but it boils down to very simple facts. Does anyone believe, and do the American people understand, that they are being asked to pay \$295 billion in new taxes, so that we can come to the floor of the Senate today and pass a spending bill of \$16.3 billion, spending which exceeds

all of the new cuts in domestic spending in the President's budget over 5 years? Frankly, I do not even think it is an issue. I do not think anybody believes that is what we ought to be doing.

Mr. DANFORTH. So what the Senator is saying is that when you combine last week's vote on the budget with this legislation, if it becomes law, the economic program that is being presented to the country is a big tax increase, plus a domestic spending increase; is that correct?

Mr. DOMENICI. The Senator is correct.

Mr. NICKLES. If the Senator from New Mexico will yield, I know he said \$16 billion. Correct me if I am wrong, but is not the total package before us—many of us have said \$16 billion, but correct me if I am wrong—actually \$19.5 billion?

Mr. DOMENICI. Madam President, let me say I have used \$16 billion because I want to continue to be consistent, and I have not included in that number over \$3 billion that is going to be authorized to be spent out of the fund for improving airports and building highways in the country. That is over \$3 billion. When you add them it is really \$19 billion in so-called stimulus, which is new spending that is not currently provided for under the law. We are enacting this spending package after passing a budget resolution that has in it new cuts in domestic programs.

There are other cuts, but they are prescribed by law. They are not prescribed by this budget or this President. The new cuts in overall domestic spending are a net of \$7 billion. When you do this arithmetic, the Senator and I have come to the conclusion that it is about \$9 billion on the positive side of new spending, precisely as my friend from Missouri said.

I repeat. That may not be what was intended. It may very well be that the President of the United States has commitments to the mayors of America. If one went to the National League of Cities Convention as I did—I am usually a guest of the mayors, I was a mayor and they usually like to hear what I have to say, it would have been enlightening. I think only about a third of the mayors liked what I said this year, because I said I did not think we ought to have deficit spending, to have a program to give them money.

Frankly, they voted overwhelmingly to take more money from Government. Obviously, the President told them that was what this budget was going to be about, whether it is spending on infrastructure for roads or on the block grant for community development, which is supposed to be more directed at the poor people, at poor areas, as I understand it.

My friend, the other Missouri Senator, has been asking why we are not

doing that in the budget? Why are we sending the money to nonpoor programs when it is supposed to be to inner cities?

I understand when I sit down, if he gets the floor—and I will sit down now and yield the floor—he is going to say that the administration changed its mind on that one also.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I appreciate the comments made by my friend and colleague, the Senator from New Mexico, and I compliment him for his work, particularly on the budget resolution.

I just say to my colleague, Senator BYRD, I am delighted to hear his statement. I hope that the motion to recommit happens as described so that we, as Senators, both Democrats and Republicans, have a chance to amend this appropriation bill.

I have been in the Senate for 13 years, and I cannot think of any time that we have been precluded from offering amendments either to add to or subtract from an appropriation bill. As was originally described, or the parliamentary procedure as originally built by our good friend and colleague, the chairman of the Appropriations Committee, basically prohibited Senators from offering amendments.

I feel very strongly that Senators should have the right to offer amendments. I have several amendments myself, several amendments that I think are good amendments, germane amendments, and we will have a chance to debate those—amendments like striking the emergency clause because certainly this legislation is not an emergency; amendments striking the entire community development block grant proposal; that is one way to make sure that these ready-to-go jobs will not be financed.

We have had some that said, well, let us not spend money for trails, let us not spend money for swimming pools and tennis courts, and there are thousands of projects that the Mayors have said are ready to go.

They want Federal tax dollars. They are not willing to tax their constituents. They think if it comes from Uncle Sam that is a good deal, it does not cost anything if it comes from the Federal Government.

I, personally, do not agree with that, so I will have an amendment to change it I imagine we may not succeed, but we should succeed. My amendment to strike the emergency clause should succeed. This is not an emergency. And hopefully now we will have a chance to debate it. We will be talking about a real amendment on the bill, and that is important.

I will also be cosponsoring an amendment to eliminate \$28 million for the District of Columbia, and \$1.4 million

to pay for the bill to make drawings of historic buildings. Maybe that is a worthy cause, but certainly it is not an emergency.

So we need to look at these amendments. We need to consider these amendments. These are real, germane, appropriate amendments.

I am hopeful that the procedure, as outlined—I hope that I understand it correctly, that we will have a chance to offer amendments to the underlying bill. If we win, we win; if we lose, we lose. I am willing to enter into whatever arrangement is necessary to make that happen, but we need to have the right and opportunity to offer amendments. We were foreclosed from that for the last several days. Now it looks as if that may happen, and I hope that it will.

Finally, Madam President, I want to make sure that everybody understands the magnitude of this bill. Many of us referred to \$16.2 billion. It does have \$16.2 billion of new budget authority. It also has \$3.2 billion of increased obligation limitation for the highway program. The total new spending authority in this bill is \$19.5 billion. All of which is added to the deficit.

So many people have called this an emergency stimulus package. I think it is an emergency increase-the-deficit package. That is what we are doing; we are rushing to increase the deficit.

We are violating the Budget Act, we are violating the caps that were agreed to in the 1990 Budget Act. That act put caps on domestic discretionary spending. We are basically waiving those caps. We are declaring this an emergency. This is an emergency and, therefore, it should not count toward the budget, so let us just increase the deficit by \$19.5 billion.

That is the impact of this legislation that we have before us.

I, for one, am delighted that the Senator from West Virginia has stated his intention to allow us to offer our amendments.

I hope to win. I, for one, believe that the package that we are working on tonight is a direct contradiction to the deficit package that passed last week. Most people said the package last week would reduce the deficit. This bill will only increase the deficit. It will only increase the deficit. There is no question. It is not paid for, it is not offset, there are no reductions, there is no exception to reduce the impact. It will only increase the deficit.

Many of us do not feel like we should be increasing the deficit by \$19.5 billion. I, for one, think that is a serious mistake. I do not think we can afford a package that will cost—somebody said we need it for jobs. The cost per job is \$89,000, and, Madam President, I will include a table in the RECORD at this point to show the cost per job.

Mr. GREGG. Madam President, will the Senator from Oklahoma yield for a question?

Mr. NICKLES. First, I ask unanimous consent to have that table printed into the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Emergency Supplemental Appropriations Act of 1993

New budget authority	\$16,257,454,000
Increased obligation limitation ¹	3,242,100,000
Total new spending authority	19,499,554,000
Total new outlays	17,560,174,000

¹ Airport and Highway Spending are governed by Obligation Limits, not Budget Authority.

Outlays by year	Amount	Percent of total
Fiscal year:		
1993	\$6,887,822,000	39
1994	6,214,484,000	35
1995	3,016,616,000	17
1996	853,370,000	5
1997	587,882,000	3

SPENDING LEVELS, JOBS CREATED, AND FEDERAL SPENDING PER JOB IN H.R. 1335—BASED ON OMB DIRECTOR PANETTA'S MAR. 9, 1993, LETTER¹

(In millions of dollars)

Committee Request	BA	Obligation limitations	Loan	Number of jobs	Dollars per job
INFRASTRUCTURE					
Corps of Engineers	94			1,409	66,714
Highways/ISTEA	2,976			13,100	227,176
Airports	250			200	1,250,000
Amtrak	188			700	268,571
Mass Transit	736	16		3,800	193,684
VA maintenance	235			3,115	75,441
Subtotal	1,253	3,242		22,324	200,636
SUMMER OF OPPORTUNITY					
Unemployment comp	4,000			0	NA
Pell grant shortfall	1,864			0	NA
Summer youth	1,000			111,600	8,865
Chaptr. I census/summer progs	735			20,000	36,750
Head Start summer program	500			12,500	40,000
Immunizations	300			250	1,200,000
AIDS: Ryan White CARE Act	200			0	NA
SBA business loan subsidies	141		2,575	3,021	46,673
WIC	75			300	250,000
Childcare Feeding	56			0	NA
BIA Schols	49			100	490,000
Title V older Americans emp	32			5,600	5,714
Emergency food assistance	23			0	NA
National Services program	15			250	89,820
Working profiling	14			0	NA
EEOC	9			156	57,692
Subtotal	9,013	2,575		153,777	58,611
TECHNOLOGY INVESTMENTS					
NSF R&D and computing	207			1,160	178,448
SSI	150			0	NA
IRS tax modernization	148			404	366,337
NIST, adv. tech. & computing	117			470	248,936
NOAA equipment	81			125	648,000
NTIA Info. highways (Commercial)	64			122	524,590
SSI trust fund	10			0	NA
NIH computing	9			66	136,364
NASA computing	5			38	131,579
SSI disability processing	(302)			0	NA
Subtotal	791			2,385	331,656
URBAN DEVELOPMENT AND HOUSING					
CDBG	2,536			15,894	159,557
Supportive Housing	423			3,430	123,324
Economic development admin	94			352	267,045

SPENDING LEVELS, JOBS CREATED, AND FEDERAL SPENDING PER JOB IN H.R. 1335—BASED ON OMB DIRECTOR PANETTA'S MAR. 9, 1993, LETTER¹—Continued

(In millions of dollars)

Committee Request	BA	Obligation limitations	Loan	Number of jobs	Dollars per job
D.C. deficit assistance					
Minority business development	28			0	NA
Accelerate public housing mod	2			0	NA
Subtotal	3,083			20,766	148,464
RURAL DEVELOPMENT					
Rural Dev. Auth. grants	282			(2)	(2)
Natural resource protection—FS	188			2,500	75,200
Rural Dev. Auth. Loans	67		470	84	797,619
Soil conservation watershed	47			305	154,098
Ag. research facility main	38			282	134,752
BIA road maintenance forest dev. ³	28			6,580	4,255
BIA Constr ^{3,4}	11			2,445	4,449
FMHA very low income housing repair grants	6			90	66,667
Food safety & inspection service	4			80	50,000
FMHA housing guaranty loans	4		235	810	4,938
FMHA very low income housing repair loans	1		3	90	11,111
Subtotal	676		708	13,266	50,957
ENVIRONMENT/ENERGY					
EPA wastewater state revolving fund	845			862	980,278
NPS Natural resource protection	231			0	
Fish & Wildlife	87			0	
National laboratories	47			216	217,593
Weatherization	47			282	166,667
EPA watershed restoration	47			704	66,761
Vehicle energy conservation	28			235	119,149
NPS historic preservation	23			425	54,118
EPA green programs	23			169	136,095
Building & Industrial cons	19			94	202,128
BLM	17			0	
Fed. building energy efficiency	17			85	200,000
BIA Constr ³	15			3,525	4,255
Subtotal	1,446			6,597	219,191
Totals:					
Budget authority	16,262			219,115	\$89,013
Obligation limitations		3,242			
Loan levels ⁵			3,283		

¹ All numbers are for FY 93 jobs and are taken from OMB Director Panetta's letter dated March 9, 1993.

² Included with loans.

³ BIA jobs created estimated by proportionately dividing total BIA jobs provided (11,280).

⁴ Reflects House action, transferring \$5.6 million from BIA guaranteed loan program to construction.

⁵ Total jobs created calculated by dividing total BA and Obligation limitations by total 1993 jobs in Panetta letter.

⁶ \$212 million in loan subsidies included in the \$16.4 billion total will generate \$3.3 billion in loans.

Mr. NICKLES. I am happy to yield to a question from my friend from New Hampshire.

Mr. GREGG. If I understand the way that you are reciting the facts of this proposal, this supplemental, is it your understanding that there are absolutely no cuts in spending that are part of this proposal, but this is just increased spending?

Mr. NICKLES. The Senator is exactly correct. There are no offsets, there are no rescissions. Many times when we have considered supplementals in the past we have rescinded money that had

previously been appropriated. We do not have any rescissions in this bill, this is a 100-percent spending increase, and I believe almost 100-percent pork barrel as well.

Mr. GREGG. If I may ask a further question, Madam President, of the Senator from Oklahoma. It is my understanding there are no revenue items in this package to offset the new spending?

Mr. NICKLES. The Senator is exactly right.

Mr. GREGG. So, Madam President, if I may ask the further question of the Senator from Oklahoma. It is my understanding there are no revenue items in this package to offset the new spending?

Mr. NICKLES. The Senator is exactly right.

Mr. GREGG. So, Madam President, if I may ask the further question of the Senator from Oklahoma, it is my understanding then last week when we passed the President's budget, or the Senate passed the President's budget, that of the 5-year period that that budget ran there was only \$7 billion of spending reduction, using the President's own figures, modified the President's plan, but that today in the discussion of this amendment we are going to be passing a bill which increases the deficit by \$19 billion, so that just by the passage of this one bill we will have wiped out the 5 years of alleged deficit reduction that we talked about last week and will end up with a \$12 billion further aggravation of the deficit?

Mr. NICKLES. The Senator from New Hampshire is exactly right. I hope that our colleagues and the American people will understand that. The Senator is correct in the fact that the budget resolution passed last week called for net domestic spending cuts over a 5-year period of \$7 billion. I will further tell my friend from New Hampshire, who is a valued Member on the Budget Committee, that those spending cuts were stacked on the fourth and the fifth year. If you look at the table of those spending cuts they come in the fourth and the fifth year. And if you add the 5 years together, it totals \$7 billion in spending cuts.

I will tell my colleagues, we do not count interest savings as a spending cut. We never have.

But what we are doing today or tonight, or when we finally pass this package, is adding \$19.5 billion to the deficit. I think people need to comprehend that.

I want to make one further clarification. Many of our colleagues have said, "The taxes in the budget resolution that passed last week totaled \$295 billion." That is not correct. The budget resolution actually called for increasing taxes and fees \$378 billion. It did call for tax reductions in some areas of \$64 billion, and that is how you get to

the net of \$295 billion, plus \$18 billion of additional fees on certain industries and so on.

And some of us have questioned, I might add, those \$64 billion in tax cuts. We think they are rather marginal.

I happen to think those taxes are going to cost jobs. I think the Btu tax is going to cost jobs. I think the Social Security tax is going to penalize a lot of senior citizens that were counting on that income. Those that have had some income are going to find themselves punished with additional high taxes. And they are going to be particularly aggravated when they find out their taxes on Social Security went up by over \$1,000 a year, and then realize that community development block grants are going to spend that money on pure pork. They are going to be quite upset when they find out they are going pay a dime more on a gallon of gasoline and fuel oil to fund spending for big city mayors.

Maybe they are willing to sacrifice for deficit reduction, but when they find out they are being sacrificed to pay for mayors' pork projects, I think they are going to be more than irate. And when they realize that their taxes are going up by almost \$4 for every \$1 of spending cuts, I think they are going to be incensed.

Many of us will have amendments, to change this and now it looks like, hopefully, we will have a chance to offer those amendments to the underlying bill. We will offer amendments to cut spending and hopefully not increase the deficit.

I yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I have listened for quite a while to the conversation back and forth among my good friends, the Republicans in this Senate. I have to say there is a lot of confusion that they are circulating around the Senate floor, and I would like to set the record straight.

One Senator asked the other: "Is it true that there is no deficit reduction in this package?"

Well, Madam President, this is the stimulus part of President Clinton's package. We knew this was coming. The first part was the budget resolution.

And we hear numbers bandied about, oh, there is only \$7 billion of cuts. Let us set the record straight. There is \$332 billion in decreased spending over 5 years in the budget resolution that was passed.

Mr. NICKLES. Will the Senator yield?

Mrs. BOXER. I will yield when I am finished.

There is \$114 billion in increased investments that must be made. So you subtract that from the decreased spending, Madam President, you get \$208 billion in a net reduction.

And, yes, there are taxes on the wealthiest Americans, Madam President. That adds up to \$295 billion. So, all told, you get \$503 billion of deficit reduction over 5 years.

Madam President, that is the largest deficit reduction in history ever offered by a President of these United States of America.

It really is an amazing thing to me that the party that brought us the biggest deficits in history are demonstrating today. Where were they when the military budget went up over 100 percent and all the waste, fraud, and abuse that followed? I did not hear them.

Where were they when the deficits went through the roof? When the Republicans took over, Madam President, we had a trillion dollar national debt. Now it is \$4 trillion.

Oh, they are here today. They keep saying, tax and spend. They are the part of borrow and spend.

Now what is better, I ask the American people? To be honest about it, as this President has been, or not to be honest about it, and not to pay for the programs that you put forward?

Now, I want to talk about this stimulus package. Of course, it does not have any deficit reduction. If you were awake during the Presidential election, you knew that this President was going to offer a long-term deficit reduction, short-term stimulus package. He talked about it. He talked about the deficits we face in investment.

He is afraid and fearful that we may have a triple-dip recession. Maybe my colleagues are not worried about it. They seem, you know, quite delighted with the kind of recovery we had.

Well, this recovery is so far behind any other that it is a bit frightening. An avid recovery at this point in time would have created 4 million new jobs, Madam President. We have seen less than a million created.

The fact is, we need this stimulus program.

I want to say something about my colleagues' comments about mayors. I do not know what they have against mayors. Mayors are bipartisan. They are Democrats, they are Republicans, they are Independents.

The Republican mayors, Madam President, have sent us a letter urging us to move forward with the President's program, and we will do it if we can stop the posturing.

Give this President a chance and move this package forward.

I thank the Chair.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. I thank my good friend and my chairman on the HUD Appropriations Subcommittee.

First, I want to associate myself with, I think, the very good points made by the Senators from New Mexico, Oklahoma, and Missouri, because I

have been visiting with and talking with a lot of people in my home State. They are much concerned about the so-called stimulus plan. They have gotten the message. They understand it. They did not like it and they do not want it. What they know is that this so-called emergency stimulus is really going to run up the deficit.

I believe it can be called, correctly, an emergency deficit increase package.

They are seeing it as Congress spending money it does not have. We are beginning to see some progress in that realization coming back inside the beltway, and I think it is about time. I think it is time that we took a look at how we are going to spend money.

Now, I had filed an amendment that was designed to make sure that the money in the community development block grant funds would not be going to a wide range of pork projects. If the administration had waived the low-income targeting requirement, it would have been a green light for golf courses, sports complexes, theaters, tennis courts, and many other projects that most people would consider pork. That was not what the American people thought they were going to get with higher taxes and a supposed deficit reduction program.

I do not think that it is an emergency for us to add this \$2.5 billion to the deficit in the first place. However, if it is to be spent, I would say we ought to prevent the pork projects and help low-income people.

And I am supported in that by the Secretary of Housing and Urban Development, Secretary Henry Cisneros. When we discussed the Community Development Block Grant Program in the Banking Committee, as I am the ranking member on the Housing Subcommittee, I asked him about the stimulus package. I asked him about whether it ought to waive the low-income targeting requirements. He said:

Some communities will say they need low and moderate targeting waivers so that they can spend this money more quickly. My initial inclination is to say, I'm not interested as Secretary in waiving low and moderate targeting because that changes the very essence of the CDBG program and its character.

I believe Secretary Cisneros is exactly right. The essence of the CDBG Program is that it helps cities address infrastructure and other needs in lower income neighborhoods where local resources are not sufficient. CDBG is not some untargeted transfer of largess from the Federal Government to State and local governments.

Why in the world should Congress put Secretary Cisneros in the position of having the authority to waive one of the most important program requirements for CDBG? The legislation before us forbids the Secretary from waiving environmental requirements, fair housing laws, and Davis-Bacon as they apply to the CDBG Program. My

amendment would have added the low-income targeting to that list.

The PRESIDING OFFICER. Will the Senator from Missouri withhold. The Senate is not in order. The Senator is making excellent points. It is difficult to hear the Senator.

Mr. BOND. I thank the Chair.

The PRESIDING OFFICER (Mr. FEINGOLD). The Senator may proceed.

Mr. BOND. Let me get to the good news. My purpose in raising the issue in the amendment was not to attack the CDBG Program, which has been useful in my State and others, but to follow through on our rhetoric that there should be no pork in the stimulus package.

We have already approved language, trying to state that the money should not be wasted on golf courses and cemeteries, and we cannot, nor should we in Congress, try to micromanage how the money is spent. I am very pleased to tell you, Mr. President, that I have received a letter from Secretary Cisneros agreeing to this proposition, restating his previous position and agreeing with basically what I had sought.

In his letter to me, Secretary Cisneros says:

This is to advise you that I have had the opportunity to examine your proposed amendment, regarding waivers of the low- and moderate-income benefit rules under the Community Development Block Grant Program to H.R. 1335. * * *

I find that I share your concern in this area and I have determined that I will not waive for any project under the Community Development Block Grant Program the statutory requirement that projects primarily benefit persons of low and moderate income.

I congratulate the Secretary. He has followed through on his commitment made to the Banking Committee. I believe it is entirely proper. I thank him for his reaffirmation to this body that there will be no waiver of the low-income targeting provisions in the Community Development Block Grant Program if this money is made available. Therefore, Mr. President, I will advise the leaders and the managers of this bill that I will not offer the amendment I had previously filed because the Secretary has agreed with us. The administration has recognized it would be entirely inappropriate to waive the low-income waiver, and I particularly express my appreciation to the Secretary of HUD.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

AMENDMENT NO. 283

Mr. BYRD. Mr. President, I move to recommit H.R. 1335 to the Committee on Appropriations with instructions that the committee report back forthwith, with an amendment as follows:

Strike out after the enacting clause of the House bill and insert the following.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposed an amendment numbered 283.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. BYRD. I move to reconsider the vote by which the motion was adopted.

Mr. HATFIELD. I move to lay that on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Pending before the Senate is amendment 283.

Mr. BYRD. Does the clerk need to report the reported bill now?

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1335) making emergency supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes.

Mr. BYRD. Mr. President, I ask unanimous consent that on an amendment to be offered by the distinguished Senator from Oklahoma [Mr. NICKLES] there be a 60-minute time agreement to be equally divided in accordance with the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I would add, I ask unanimous consent that no second-degree amendment be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. If the Senator wants to get the yeas and nays on the amendment?

Mr. NICKLES. I will at a later time.

Mr. BYRD. The yeas and nays do not preclude a motion to table.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma.

Mr. NICKLES. Mr. President, shortly I will be sending to the desk an amendment that will strike \$2.5 billion from this so-called stimulus package. First, while the chairman of the Appropriations Committee is here and the majority leader is here, I would like to say I appreciate the change in the bill's status to where now the bill is amendable, because previously, Senators were denied the opportunity to amend the actual appropriations bill. I feel very strongly that we needed to have that right. I have been in the Senate for 13 years. I have been in the Appropriations Committee now for several years. We have always had the right to offer amendments to strike funds, to delete funds, to add funds or to switch funds, particularly when you get into a supplemental bill, which covers a variety

of appropriations. So I think it is important that we have that right and I am pleased that the chairman of the Appropriations Committee has now made that possible. I think that is a very good—good sign.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. NICKLES. I will be happy to yield.

Mr. MITCHELL. Mr. President, has the 1 hour, 60 minutes equally divided, of time, begun yet?

The PRESIDING OFFICER. It does not begin until the amendment is offered.

Mr. MITCHELL. Does the Senator intend to?

Mr. NICKLES. I plan on offering it and I ask unanimous consent the time start at the beginning of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I would just like to say to the Senator, we have debated the meaning of the prior status of the bill. I do not wish to prolong that debate. However, I do not wish to have silence be deemed as acquiescence in the description provided by the Senator from Arkansas. I believe that description to be totally inaccurate. Now we are in a new phase and we will proceed.

Mr. NICKLES. Just to respond to the majority leader on two points: One, I am the Senator from Oklahoma, and two, we were precluded from offering amendments. It would have been to the underlying bill, and the substitute would have basically wiped out any amendments that were agreed to. That was not acceptable to this Senator. Many of us have several amendments that we were wanting to offer but we were hesitant to offer under the previous amendment tree, and I feel very strongly that we needed to have that right. So I am pleased that we now have that right.

Mr. President, this amendment that I am offering will eliminate the question of whether or not these so-called ready-to-go jobs will be included in this emergency package. As I also mentioned, at a later time I will have an amendment that will strike the emergency section. But I want to make sure that we are not going to be funding a lot of what I would say are pork barrel projects that are now possible to be funded under this legislation. The number of projects that were listed in the ready-to-go jobs that were listed by the U.S. Conference of Mayors is in the thousands. I have highlighted about 400.

Mr. President, this ready-to-go project list, actually there are two volumes, includes 4,396 projects in 473 cities in 49 States and Puerto Rico and the District of Columbia. I really do not think that we should be funding these projects. I certainly do not think we should be funding these projects by adding to the deficit.

If we do not adopt this amendment, I am afraid that is what is going to happen. I have heard many of my colleagues over the last day or so say, well, they are supporters of the community development block grant approach; they like giving money to the mayors and, no question, the mayors can come up with lots of ways to spend Federal money.

I have made the statement in the past that the Federal Government has no money itself. It can take money from taxpayers and give it to somebody. That is redistribution of wealth. But the Government itself does not create that money. It has to take it from the people. It either takes it from the people in the form of taxes today or it takes it in the form of borrowing.

Our Government does that quite well. We now have a debt that exceeds \$4.2 trillion. That exceeds \$16,000 for every man, woman and child in the United States. I say enough is enough. Why should we add another \$19.5 billion to the debt?

So this amendment that we have before us tonight, the amendment that we will be voting on will eliminate \$2.5 billion of this package. This \$2.5 billion is not an emergency. This is \$2.5 billion of additional spending, to the mayors and others, to the Governors who are writing us letters saying give us more money, that is not needed.

It does nothing but increase the deficit. It does nothing but compound the problem that the Federal Government can spend money better than anybody else.

Keep in mind that we passed a deficit reduction package last week. I heard my colleague from California say that it was the largest deficit reduction package in history. That is not correct. The Congressional Budget Office has recalculated the numbers and it is not \$502 billion in deficit reduction. They recalculated it at \$458 billion. Then I also heard her say, well, it cuts spending by \$332 billion and that, likewise, Mr. President, is not correct. It does not do anything of the nature.

The budget package adopted last week does have a massive tax increase, new taxes and fees, \$378 billion, net taxes \$295 billion and new fees at \$18 billion.

But when you get into the spending cuts side, you will find out the spending cuts are not there. There is nothing of the sort of \$322 billion; \$44 billion is lost to a baseline game. CBO said those savings are not there. About \$60-some billion of that \$322 billion are interest savings, and we do not count interest savings because they are a result of other actions. And then, we cannot forget to count the \$124 billion of new spending.

Senator BROWN had an excellent amendment last night. He was going to strike out \$105 million of this package. His amendment was agreed to last

night. Unfortunately, the majority was able to corral enough Members to defeat it this morning. And so the taxpayers, unfortunately, lost another \$105 million this morning. We are going to give the taxpayers a chance to save \$2.5 billion, maybe I should say the future generations because the amendment I have before the Senate now to eliminate \$2.5 billion of money for community development block grants will keep us from having to borrow an additional \$2.5 billion.

So I urge my colleagues to look at this amendment and to ask themselves a couple of questions: Do we really need to spend this money? Did we not appropriate enough money last year? Last year we approved total Federal spending of \$1.5 trillion. That is equal to \$6,000 for every man, woman, and child in the United States. Are we not spending enough? Are we not spending enough already, and if we are going to fund this program, do we not have offsets? Should we not find some other place to cut Federal spending?

If we are spending \$1.5 trillion, if we are spending \$6,000 for every man, woman, and child in the United States today, should we not find some kind of offset. Before we start financing a bunch of programs like painting the water tower; or maybe resurfacing the tennis courts; or maybe putting in a swimming pool; or maybe doing some other project that the cities would like to have funded; maybe landscaping for the city hall; maybe painting the city hall; maybe putting in new windows in the townhall—no telling. They may have good projects, maybe projects that should be funded but more than likely they should be funded by the city and not the Federal Government. At least this Senator's opinion is we should not be going into debt to finance municipal projects.

So I just urge my colleagues to take a look at this amendment. I hope they will adopt it. It is the second chance we have had in this bill to exercise fiscal responsibility. It is a chance to save \$2.5 billion from being added to our national debt. It is a chance to say when you go back to your homes and you say, yes, we want to be fiscally responsible, this is a chance to be fiscally responsible.

Now we are dealing with real dollars, now you have a chance to say we do not want to increase our debt by \$19.5 billion. This amendment does not eliminate the entire bill. This amendment eliminates the spending on community development block grants; \$2.5 billion in real money.

My guess is this bill will ultimately pass and, yes, we are going to be shoveling money out to the cities and we are going to be telling the mayors: Go out and spend the money quick; we want to see some results. Make sure you spend it real quick. We want your projects ready to go. So the mayors said they are ready to respond.

Now we give a little direction to OMB and we say we do not want you to fund bad projects or projects that would embarrass Congressmen and Senators. But the net result on the taxpayers is the same: We are going to have to borrow \$2.5 billion.

Do you know what? The impact is not just \$2.5 billion, it is the fact we are going to be paying interest on that \$2.5 billion, maybe for as long as we can think about. We have not seen the total Federal debt go down and therefore we are going to be paying interest on this for some time; \$2.5 billion.

If the Federal Government is borrowing money at 5 percent—at 10 percent on \$2.5 billion that is \$250 million in interest per year. So at 5 percent, that would be \$125 million per year. So not only are we going to be spending \$2.5 billion if this amendment is not successful, but we are also going to be adding \$125 million of interest expense for the next many, many years, unlimited number of years.

So this is an important amendment. It is an amendment that I hope my colleagues will adopt.

I see the majority leader is here. I know that he would like to try to reduce the time by a few minutes. That is fine with this Senator.

Mr. MITCHELL addressed the Chair. The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. I merely would—
Mr. BYRD. Mr. President, may I yield time to the majority leader, whatever time he desires, and then I would like to yield the remaining time to the Senator from Maryland, BARBARA MIKULSKI.

Mr. MITCHELL. Mr. President, I merely wanted to first pose a question to the Senator from Oklahoma and ask how he voted on funding of the superconducting super collider? Does the Senator recall how he voted on that?

Mr. NICKLES. Are you on your time or my time?

Mr. MITCHELL. My time.
Mr. NICKLES. I will tell the Senator—

Mr. MITCHELL. It only takes a yes or no answer.

Mr. NICKLES. I have supported it in the past. I will tell the Senator today, this Senator has serious reservations about it. This has never been a vote I have been overwhelmingly excited about.

Mr. MITCHELL. Mr. President, I think that answer really tells us all we need to know. Everybody in public life who has their words recorded sooner or later encounters an inconsistency. We meet our words coming around the corner. Rarely does it occur so clearly and so soon in time.

We have heard all these speeches today about wanting to cut spending, particularly the so-called phantom list of projects that is in the bill, but when anyone suggests actually cutting

spending on a project that the estimates just keep going up on and are now \$12 billion, why, of course, our colleagues are not for that. They are for cutting spending on projects that do not exist so that they can keep spending on projects that do exist.

In that way they believe they can delude the American people. Why, if they get up and read from this long list of projects that is not in the bill, they can somehow divert the attention of the American people away from the fact that they vote for the multibillion-dollar projects and refuse to cut actual spending.

I have thought about it a lot and the most charitable word that comes to my mind is inconsistent. There are a lot of other words that are much less charitable that I will not use out of deference to the decorum of the Senate. But what we have heard here today is at the very least inconsistent. Time and time again they vote to spend billions and will not cut actual spending. It is not pork if it is theirs. But here they come with this fictitious list, as I said, the phantom of the Senate, that now suddenly is the Holy Grail of the efforts to cut spending by those who otherwise will not vote to cut spending.

Well, I do not think the American people are that easily fooled. The Senator has voted consistently to fund a multibillion-dollar project. We just heard a long mathematical oration about what would happen if this \$2.5 billion in community development is spent. Well, multiply that by 4 or 5 times and you have the results of the super collider. And the Senator has always voted for that.

Let us hope that the doubts he has expressed will blossom finally into a vote to actually cut spending on that project when the time comes.

I yield the floor.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland.

Ms. MIKULSKI. I believe the Senator—

Mr. BYRD. Mr. President, I have yielded to the distinguished Senator from Maryland, the chairman of the HUD Appropriations Subcommittee, the remaining time on this side.

Ms. MIKULSKI. Mr. President, how much time is remaining on our side on this debate?

The PRESIDING OFFICER. You have 25½ minutes.

Ms. MIKULSKI. We have a lot of time.

Mr. President, I rise in defense of the Community Development Block Grant Program, and I rise in defense of the President's stimulus package to use existing Government programs to spend money wisely to generate jobs and economic vitality. I also rise to challenge the myth that somehow or another public investment adds to the deficit.

Mr. President, I believe that public investment reduces the deficit. Now, why do I say that? Is that kind of the voodoo economics which was made famous in another administration? Oh, no, Mr. President. This is a CBO number that says for every 1 percent of unemployment in our country, it costs the Federal Treasury \$28 billion. That means for every 1 percent of unemployment in the United States of America, we lose \$28 billion in the Treasury to either lost revenues or to the funding of programs to help the unemployed. That does not even calculate broken homes, broken marriages, broken dreams.

What it does calculate, however, is that when we make public investments it is a tool for reducing the deficit because we are generating jobs, and we are making public investments to generate private sector jobs. We are not creating the national Federal corporation of leaf rakers or make-work or pick up a tin can today and save America, although that might not be a bad idea. These are real jobs in real communities for real projects identified by real mayors who have been elected by the people. That is the heart and soul of the Community Development Block Grant Program.

So we support this \$2.5 billion because we believe in spending that money we will generate economic vitality and lower unemployment where it is the highest in our communities.

The other reason why I object to the amendment is that somehow or another community development block grant moneys are getting this reputation for pork. However, as the chairman of the Appropriations Subcommittee that funds CDBG for 4 solid years, there are those who now call this pork who are always coming to me about their projects. Not only have they voted on big ticket items but about their projects, or how to get things unstuck at HUD so that community development block grant money could come forward.

So you see we happen to believe that community development block grant approaches are important and so do the other people on this side of the aisle except when it is convenient to take a few isolated projects—54 of them in a country of 250 million people, 50 States in the Union, countless numbers of cities and counties. Combing through the projects, they found 54 items that might be debatable or on first blush seems silly.

Well, I think it is darned good for only 54 projects to be questioned. I think that is pretty good. I think we are getting our money's worth. And then it is up to that mayor and city council to defend the project to those voters.

But I will tell you this. I bet if you went out and looked in the community development projects the way I have in

my home town in my State, you will see that CDBG is a dual purpose funding program. It generates jobs and infrastructure and it meets compelling social needs.

What are the examples of its uses? First of all, it will fix up public housing so that the working poor, who are out there now, who have been denied a raise in the minimum wage for more than a decade, at least have a chance to live in subsidized housing so they can accumulate some money to have this not as a way of life but a way of a better life. In some communities it will get lead out of public housing. This is not some gucci green idea. We know that for every young child who goes into Johns Hopkins for lead poisoning treatment, it costs Medicaid \$8,000, and if you have five kids in your family, we are going to spend \$40,000 on Medicaid to get lead out of children's blood, and maybe we need to get the lead out of what is happening in this country and pass the President's stimulus package.

CDBG money is going to go to Indian tribes. You and I have seen on TV these Indian tribes that are now turning to gambling as a source of revenue, often a possible front for organized crime activities. I do not know if it is true, but it sure does not look good and it sure does not sound good. I surely would rather have CDBG coming into those tribes where the chieftans and elders decide what needs to be done and not have to be funding their activities by lotteries and by gambling.

This includes rehab houses for single family owners, it will build multifamily housing for several million families, and it will do public works, for example, new senior centers, actually even fixing up shelters.

A few minutes ago the senior Senator from New Mexico came to the floor in a gallant way and spoke about the needs of the mentally ill and whatever we do in the health reform package, he said, do not forget the mentally ill. Time and time again in a gallant way he has come to the floor to plead for the mentally ill, and now for those who are homeless. Where to you think they are going to go? If they have any shot at all, it is going to be halfway houses, it is going to be shelters. And by funding CDBG you are going to put those big, beefy, blue-collar guys in Baltimore to work fixing up the shelters, building those shelters, working with nonprofit organizations and then they are going to take off their hard hat and tip it to those senior citizen women, many of them who have been gripped by mental illness or depression, and say, "Ladies, after you."

Let me tell you, that is what the American people want our dollars spent for. That is why I am an unabashed supporter for community development block grant money. That is why I think it is an important tool under the President's stimulus pack-

age, because I believe that it will generate jobs in infrastructure for those blue-collar workers, a multiplier effect in the community, and then at the same time meet these other compelling needs that have been so long neglected that it is time now for us to combine our resources to meet those needs.

Mrs. BOXER. Will the Senator yield for a question?

Ms. MIKULSKI. I will be happy to yield to the Senator from California.

Mrs. BOXER. I would like to say to my friend and colleague that her comments are very well taken.

Before I came to the Senate, I had a House seat and I had the honor of serving with my friend in the House of Representatives. I was a member of a local government board of supervisors in Marin County, CA, where we had the opportunity to look at these funds and use that decisionmaking to really go after the needs of the community, because—as the Senator from Maryland knows because she served in local government—that is the closest to the people.

I would like to ask my friend this question: Does she not find it ironic that the very people in this institution who always talk about local control and local decisionmaking would be attacking the mayors, the local boards of supervisors, and attacking a program that across the board has more support in a bipartisan way than any other program, I think, that we can find here?

I ask my colleague to comment.

Ms. MIKULSKI. Mr. President, I will be happy to respond, and also note we are both former city council women. That is why maybe we have such a passion for funding local government.

But to answer her question: Yes, community development block grant money was invented by a Republican President, President Gerald Ford, on the principle of Jeffersonian democracy, that the people closest to the government govern best, and that it not be trickled down through layers of bureaucracy, but go directly to a mayor and a council or an executive branch so that then they would be most accountable to the local people to meet the needs.

Mrs. BOXER. I thank the Senator.

Ms. MIKULSKI. I yield the floor.

Mr. SARBANES. Does the Senator have the time?

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma.

Mr. NICKLES. Mr. President, how much time remains?

The PRESIDING OFFICER. The Republican side has 17 minutes and 30 seconds remaining; the Democratic side has 15 minutes and 57 seconds remaining.

Mr. NICKLES. Mr. President, I might tell my colleagues that I had at least one or two Senators say they would

like to vote before 7 o'clock. I am happy to try to accommodate that schedule, if I can.

Mr. President, I would like to make a couple of comments. One, the majority leader asked if this Senator would support the super collider. And I think over the super collider's history that we have already invested maybe a little over \$1.5 billion. That is over the last several years.

I just noticed in the budget proposal submitted by President Clinton that he too wants to fund the super collider.

I think that is kind of interesting. I am not sure I am going to support it this year. I have always had a problem with spending that much money.

But my point is, the bill that we have before us spends \$19.5 billion. This Senator is against spending that \$19.5 billion. This Senator would like to not increase the deficit.

Whether or not we have funding in R&D projects and whether or not the super collider should be one of those projects, or the space station, those are good questions. They are questions that need to be debated. I will be happy to participate in those debates.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. NICKLES. I am happy to yield.

Mr. JOHNSTON. Mr. President, I was happy to agree with the Senator last year on the vote on the superconducting super collider. I hope the Senators on the floor will not take this easy target called science, which is hard for people to understand sometimes, such as leptons, or the basic forces of the universe, and say that because we do not understand it, let us revel in our ignorance and try to cut that at a time when we are trying to get a country that is competitive in a world market.

Mr. President, I hope the Senator will stick to his guns on the importance of science in this country, the importance of basic science, and not join in this feast of saying it is time to cut science because we do not understand it and cannot explain it.

I hope the Senator will stick to his guns, and other Senators will do the same.

Mr. NICKLES. I appreciate the Senator's comments.

Mr. President, the interesting comparison with the super collider, it is probably a 15- or 20-year project, and the cost is estimated to be about \$8 billion. That is an expensive project. I have no doubt that the Senator from Arkansas will have an amendment every year to cut funding for the super collider.

Every year, we will have that vote, because he wants to have a vote for fiscal responsibility. My point is, we are going to end up passing a bill, probably tomorrow sometime, that will spend twice as much as the super collider and we are going to spend it in one day.

We are going to be spending to fund social programs, not science. Some-

body else said it is a jobs program. I appreciate my good friend and colleague, the Senator from Maryland, talking about job programs. There is no question the Community Development Block Grant Program will create a few jobs. It is going to cost \$2.5 billion. Actually, \$2.536 billion.

How many jobs will it create? According to the Director of the Office of Management and Budget, Mr. Panetta, he says it will create 15,894 jobs in fiscal year 1993. I do not know where he got the figure. But if you divide the total amount of money spent and the number of jobs created, the cost per job is \$159,557.

This Senator, for one, thinks that is a bad deal. That is a bad deal for taxpayers. I, for one, do not think that we can afford it.

How much time does the Senator from Iowa need?

I yield to the Senator from Iowa 8 minutes.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa.

Mr. GRASSLEY. Mr. President, we all know the Government sector does not create jobs; only the private sector creates jobs. Government consumes wealth. People working in productive jobs in the private sector that pay taxes are the ones that create wealth.

So I think the best thing that Congress could do besides adopting the amendment by the Senator from Oklahoma is likewise forget about this emergency jobs bill.

The best thing that Congress could do to create jobs then would be to lower taxes, to lower spending, to cut regulation, and to cut the deficit.

The Clinton budget package, and particularly this stimulus package that is before us, does none of these. In fact, the President's budget will add—hear this—\$1.8 trillion to the debt. This jobs bill is going to help do that by another \$16 billion on top because we are not paying for this bill. We are not raising taxes for it. We are not taking money away from any other program.

It is taking us all down the same road that we have traveled before. I want to refer to some history. I think we ought to learn from history, and that wrong-road approach. And a recent example of it is the Jobs Creation Act, or the Emergency Jobs Appropriations Act, I guess it was called, of 1983. I think it is very beneficial to examine that precedent to see if it lived up to its billing, and to see if we can learn some lessons that might be applicable in today's consideration of this so-called jobs bill.

In 1981 and 1982, we were experiencing one of the worst economic recessions of this century. Unemployment was at 10.7; almost 12 million people were out of work. At that time, Congress passed a bill making available \$9 billion to

stimulate jobs. This was the Emergency Jobs Appropriations Act of 1983.

The goals of the legislation were to provide worthwhile jobs to the unemployed, to construct essential Federal projects, and to provide assistance to the needy unemployed, the very same goals that are sought in this legislation.

The funds were expended as quickly as possible in order to stimulate the economy. This is the same type of approach that is being advocated in this legislation today. So looking back there, did the Emergency Act of 1983 work? Were jobs created? Were they good jobs? Were they permanent jobs? That ought to be the goal of anything that we do here in the Congress, is to create as many permanent jobs as we can.

The nonpartisan General Accounting Office did a very detailed analysis of this legislation and found out that it was in fact a failure; that this legislation of 1983 did not live up to its claims; that we ought to think of that when we are considering this legislation before us today at \$16 billion.

The implementation of the Emergency Jobs Appropriations Act was flawed by a failure both to spend the funds quickly and to direct job creation efforts to the unemployed, problems inherent in this type of approach to jobs creation.

Despite being enacted relatively quickly following the beginning of the 1981-82 recession, as compared to previous jobs bills which were enacted well past the onset of the downturn in the economy, the Emergency Jobs Appropriations Act was not effective and timely in relieving the high unemployment caused by the recession.

Funds were spent slowly and few jobs were created when they were needed most. Unemployed persons received a small proportion of the jobs provided.

As the chart here illustrates, the peak employment effect was about 35,000 jobs, right at this point, in the second quarter of 1984.

This was well into the economic recovery. Only 34 percent—only 34 percent—equaling \$3.1 billion of the funds under this legislation has been spent by this period of time.

I will refer to another chart here that illustrates that these 35,000 jobs were a very small part of the percentage of jobs that were created during this period of time. Just six-tenths of 1 percent of all the jobs were attributable to the Emergency Jobs Act of 1983, compared to the 99.4 percent of all other jobs, new jobs, that were created during that period of time; 5.8 million jobs compared to 35,000 jobs during that period of time of March 1981 and June 1984, according to the GAO.

While there were 8 million people unemployed at that time, the employment increase credited to the funds spent under this act only touched 35,000 jobs or six-tenths of 1 percent.

After June 1984, additional employment attributable to the legislation declined to an estimated 8,000 jobs by June 1985. By that time, about half of the available funds had been spent.

The General Accounting Office also found that a small percentage of the employment created under the 1983 act actually was provided to unemployed persons. Just a very small percentage. By September 1984, no more than 35 percent of the people employed in projects had been previously unemployed.

Stated quite another way, but just as true and just as illustrative of how shortcoming this approach could be in creating jobs, two-thirds of the people employed through money spent on the Emergency Jobs Appropriations Act of 1983 already had other jobs.

So, Mr. President, infrastructure projects like time to plan. Hearings must be held, bids sought, and contracts issued. The process is further extended because of onerous government regulations on these construction projects.

Even if jobs are created, the cost can be many times that of jobs created in the private sector. Each new job created with mass transit funds in the Emergency Jobs Act of 1983, for instance, cost over \$300,000 during the first year of expenditure.

As I stated earlier, the government sector does not create jobs. The private sector creates jobs. Federal spending on jobs programs is not a good way to put people to work quickly, efficiently, or cost effectively.

I have a confession to make about that 1983 act, Mr. President. Despite some reservations, and despite my usual doubts about taking this type of approach, I voted for that legislation in that year in hopes that it might help put people back to work.

Mr. President, I was wrong. The legislation did not live up to its job creation premise that it was going to create a lot of jobs. It did not create the jobs that it said it was about to create. I admit that I made a mistake in 1983. I do not intend to make that same mistake this year. I only hope that the rest of my colleagues who voted for that failed legislation will also learn from the mistakes. Thank you.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 284

(Purpose: To eliminate supplemental appropriations for Community Development Block Grants)

Mr. NICKLES. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:
The Senator from Oklahoma [Mr. NICKLES] proposes an amendment numbered 284.

Mr. NICKLES. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 26, strike lines 4 through 24.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 15 minutes.

Ms. MIKULSKI. Mr. President, I yield to the senior Senator from Maryland 5 minutes.

The PRESIDING OFFICER. The chair recognizes the senior Senator from Maryland for 5 minutes.

Mr. SARBANES. I thank the Senator. Mr. President, we have just heard this assertion that government does not create wealth; only the private sector creates wealth. I want to address that head on, because there is money in the stimulus package that does create wealth. If we build a highway transportation network, the interstate highway system—and it is the marvel of the world—is that not wealth? If we develop an efficient mass transit system, is that not wealth?

The Europeans are talking about putting \$30 billion into a major upgrade of the inter-country rail system in Europe. They understand that that is wealth. We help to create wealth through a relationship between the public and the private sector, and it has always been that way in this country. When we build these great transportation networks, we are creating wealth in this country. Some of the money in here is for SBA loan guarantee. This will enable the Small Business Administration to continue its program—and not to close the doors—to provide credit for the engine of our economy—the small business sector. That helps to create wealth when we undertake to do that.

When we do Head Start in order to educate our children, and get them off to a faster start, and move them ahead in terms of maximizing the use of their abilities, that is helping to create wealth.

Mr. President, let me address this amendment specifically, Community development block grants. The mayors tell us—and I want to quote them—"The U.S. Conference of Mayors, through a February survey of 460 cities across the Nation, verified that there are hundreds of CDBG eligible projects ready to go on very short notice, hundreds of projects that can be completed by the end of this calendar year, generating more than 100,000 jobs in 1993 alone." More than 100,000 jobs in 1993 alone.

Earlier, I heard a colleague on the other side talk about the Community Development Block Grant Program

creating only 15,000 jobs. I think it is important to put in this statement from the Mayors with respect to the community development block grants to counter the Senator's contention.

CDBG is a program that has to be focused on low- and moderate-income people. HUD, in its survey, has found that over 90 percent of the money is used exactly that way. So it, in fact, does make a big difference. CDBG offers an opportunity, since there is a lot of matching or leveraging money that takes place with community development block grants, to increase the impact of CDBG. Not only the Federal money is being made available to States and localities in order to move forward on many needed projects, but the State and local governments money which also provide their own money which is utilized in order to move these programs forward.

Finally, Mr. President, I want to address the question of the overall need for the stimulus. Members have to come to grips with this chart. This chart shows the recovery of jobs coming out of recessions in the post-World War II period.

This blue line is the average of job recovery in seven previous recession-recovery cycles. This is the trough of the recession. This is when you hit bottom and then you try to come up out of the recession in your recovery.

Look what has happened. We are not getting recovery in this cycle. We have not yet recovered back the jobs that were lost. We are 23 months after the bottom of the recession. Look at this comparison between this recession-recovery cycle and the average of the seven previous recession-recovery cycles in this post-war period.

This is why we need a stimulus program. We need a stimulus program because this economy is not yet up out of the recession. We have not gotten the jobs back. We need this stimulus program in order to restore jobs.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Ms. MIKULSKI. Mr. President, I yield to the Senator from the State of Washington 5 minutes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington for 5 minutes.

Mrs. MURRAY. Thank you, Mr. President. I thank the Senator from Maryland for yielding me my time.

Mr. President, I rise to strongly oppose the amendment that has been put forth to us today that will virtually wipe out the community development block grants that are in the President's economic stimulus program.

Mr. President, I have not been here very long on the floor of the U.S. Senate, but I have learned a few things as a Member of the Budget Committee, listening to the budget debate hours on end, and coming here on the floor and

listening to many midnight sessions where we debated numbers, and this week talking about the economic stimulus package.

I have heard numbers used in many different ways to mean many different things, and it clearly says to me, in my mind, that numbers on this floor have become meaningless because however we put them out they mean something to somebody differently. What truly amazed me is that words become meaningless as well.

I have listened to my colleagues reiterate over and over again over the last several days, projects that are in these community development block grants, swimming pools, golf courses, and bike paths.

Mr. President, this is just astonishing to me. It reminds me of someone going, oh, my gosh, she is wearing a red dress. You say that is horrible, until you step back and say what is wrong with her wearing a red dress?

Mr. President, what is wrong with bike paths and swimming pools? We are not talking about private golf courses and private swimming pools. Those will be there next summer for those who can afford to use them. We are talking about municipal swimming pools and bike paths for kids who cannot afford any other type of activity. This will provide something for them to do so they are not breaking into your car and your house in the next several years.

These are good programs. And not only are they good programs, but they are put together by the communities who know their people and their constituents that they fought hard for, and they provide funding and we provide funding.

This is exactly what the people of America want. They want hope for their kids again. That is what community development block grants are about.

In my State of Washington, I recently visited a community center in Spokane, WA, where the community got together and said, what can we do for the people of our community that will make sense? And through a block grant they built a community center that now houses Head Start preschool, it houses a senior citizen program. And when I visited, there were senior citizens painting pictures. Senior citizens who had nothing more to do than watch C-SPAN had the opportunity to do something productive with their lives and paint next to a room where children were coloring and drawing, and the interaction was fabulous. This community has done an excellent job.

Mr. President, I urge my colleagues, for the people of America, to defeat this measure so that we can send hope back to our children once again.

The PRESIDING OFFICER. Who yields time?

Mr. NICKLES. How much time do I have remaining?

The PRESIDING OFFICER. Four minutes and 49 seconds.

Mr. NICKLES. I yield the Senator from Rhode Island 2 minutes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island for 2 minutes.

Mr. CHAFEE. Mr. President, I have heard some very powerful speeches on the floor this evening. The distinguished senior Senator from Maryland always spoke so well, the new Senator from Washington, about these extremely worthwhile programs, the need to take care of the seniors in the community under the community development block grants, the virtues of Head Start, how wonderful it is to build roads. It all sounds good to me. And I just have one question of the senior Senator from Maryland who, perhaps, we could rightfully call the king of the charts—if I could get his attention?

Mr. SARBANES. I am listening.

Mr. CHAFEE. He always has some fascinating charts here on the floor. Indeed I have seen him with charts showing the evilness of the deficit of the Nation and how it has gone up over years, and it always made a great impression on me.

I was wondering if the senior Senator from Maryland could tell me how he plans to pay for this program? I may be innocent, but it is my understanding that what he wishes is several billion dollars of wonderful programs, but not to be paid for. Oh, yes, they ought to be paid for, they are to be paid for by our children, by adding it to the deficit.

I know that the senior Senator from Maryland is an admirer of the chairman of the Federal Reserve, and as you know here is what he had to say about deficits. The deficits are a corrosive force eating away at the foundations of our economy. They are a malignant force in our economy, the dangerous erosion, significant deterioration.

Would the Senator from Maryland fill me in on how this is going to be paid for? Is this going to be borrowed?

Mr. SARBANES. The stimulus package needs to be looked at in the context of a deficit reduction package of \$502 billion. Alan Greenspan, in testifying with respect to the President's total package investment deficit—

The PRESIDING OFFICER. I need to inform the Senator this is being charged to the Republican time.

Mr. CHAFEE. That is right.

Mr. SARBANES. He addressed the question to me. I am responding to his question.

The PRESIDING OFFICER. That is proper. I needed to inform you.

Mr. SARBANES. Alan Greenspan said in addressing that issue—

Mr. NICKLES. We have not yielded time.

Mr. CHAFEE. Could the Senator answer my question? The \$16 billion he called for.

Mr. SARBANES. This is paid for in the deficit reduction of \$502 billion, and

this is an essential part of that entire package.

The PRESIDING OFFICER. The Senator recognizes the Senator from Rhode Island.

Mr. CHAFEE. I have gotten the answer. It is not being paid for. I appreciate it.

The PRESIDING OFFICER. No one yielded time beyond the 2 minutes.

Mr. NICKLES. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. CHAFEE. Vote.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma.

Mr. NICKLES. Mr. President, I will just make a couple very brief comments.

The bill before us, will increase the deficit by \$19.5 billion, period. To answer the Senator from Rhode Island, this package is not paid for. This is nothing but a deficit-increasing package.

The amendment that we will be voting on will cut the spending package by \$2.5 billion. We will eliminate funding in the stimulus package for community development block grants.

I might also tell my colleagues that Mr. Panetta, in a letter of March 9, said this spending would create 15,494 jobs in fiscal year 1993 at a cost of \$159,000 per job.

If we want to make sure that we do not waste money on a lot of pork barrel projects that are described as ready to go, the way to do it is to pass this amendment. That way we will not be spending an additional \$2.5 billion for community development block grant projects which, frankly, are not an emergency, which are not needed, and which will only increase the deficit. This package, this amendment will save taxpayers \$2.5 billion.

The majority leader may want to come before the Senate and complain about my vote, or anybody's vote on the super collider, but we have not spent \$2.5 billion on the super collider over the last 5 years. We have a chance to save \$2.5 billion right now in the next few minutes if our colleagues will adopt this amendment. We can save the taxpayers and future generations \$2.5 billion.

I think that is a good step, and I hope my colleagues will support it.

The PRESIDING OFFICER. Who yields time?

Mr. NICKLES. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Ms. MIKULSKI. Mr. President, we yield back the time.

Mr. NICKLES. We yield back the time.

The PRESIDING OFFICER. All time is yielded.

The Chair recognizes the Senator from West Virginia.

Mr. BYRD. Mr. President, I move to table the amendment and I ask for the yeas and nays on the tabling motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia to lay on the table the amendment of the Senator from Oklahoma. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY], the Senator from California [Mrs. FEINSTEIN], and the Senator from Texas [Mr. KRUEGER] are necessarily absent.

The PRESIDING OFFICER (Mr. ROBB). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—54

Akaka	Ford	Mikulski
Baucus	Glenn	Mitchell
Biden	Graham	Moseley-Braun
Bingaman	Harkin	Moynihan
Boren	Heflin	Murray
Boxer	Hollings	Nunn
Breaux	Inouye	Pell
Bryan	Johnston	Pryor
Bumpers	Kennedy	Reid
Byrd	Kerrey	Riegle
Campbell	Kerry	Robb
Conrad	Kohl	Rockefeller
Daschle	Lautenberg	Sarbanes
DeConcini	Leahy	Sasser
Dodd	Levin	Shelby
Dorgan	Lieberman	Simon
Exon	Mathews	Wellstone
Feingold	Metzenbaum	Wofford

NAYS—43

Bennett	Faircloth	McConnell
Bond	Gorton	Murkowski
Brown	Gramm	Nickles
Burns	Grassley	Packwood
Chafee	Gregg	Pressler
Coats	Hatch	Roth
Cochran	Hatfield	Simpson
Cohen	Helms	Smith
Coverdell	Jeffords	Specter
Craig	Kassebaum	Stevens
D'Amato	Kempthorne	Thurmond
Danforth	Lott	Wallace
Dole	Lugar	Warner
Domenici	Mack	
Durenberger	McCain	

NOT VOTING—3

Bradley	Feinstein	Krueger
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So the motion to lay on the table the amendment (No. 284) was agreed to.

Mr. SARBANES. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland [Mr. SARBANES] is recognized.

Mr. SARBANES. Mr. President, I want to say to the Senator from Oklahoma with respect to our previous debate, I do not know about this letter he was citing that said that the Community Development Block Grant Program would create only 15,000 jobs, and then he costed it out to produce some extraordinary figure per job.

In the communication from the President of the United States, the formal submission to the Congress, the President stated, in making this submission with respect to the \$2.5 billion for the Community Development Block Grant Program:

An estimated total of 59,600 new jobs would be generated by this proposal.

This is in the official submission in the communication from the President. Of course, that just cuts your cost per job. I mean, the actual cost per job is 25 percent of the figure you asserted.

Mr. NICKLES. If the Senator will yield, if I took the Senator's figures to be correct, the cost per job would still be about \$50,000 per job.

Mr. SARBANES. You may want to make a big point about that, and fine. At least do not stand on the floor and tell us it is only going to create 15,000 jobs at a cost of \$160,000 per job when the submission says officially that it is going to create 59,600 jobs. This amount of jobs is four times the number of jobs you were asserting in the debate and, therefore, one-fourth the cost you asserted per job.

Mr. NICKLES. If the Senator will yield further, Mr. President.

The PRESIDING OFFICER. Does the Senator yield to the Senator from Oklahoma for a question?

Mr. SARBANES. Yes; I yield for a question.

Mr. NICKLES. If the Senator will yield further, I put into the RECORD information that was given by the Director of the Office of Management and Budget, Mr. Panetta, in response to a letter to House Members that estimated the number of jobs to be about 16,000.

I will be happy to further substantiate that with the Senator. I appreciate his showing me the President's submission, but we were relying on information that was given to us by Mr. Panetta.

Mr. SARBANES. Mr. President, I ask unanimous consent to print in the RECORD—This is from House Document 103-50, communication from the President of the United States, transmitting his request for emergency fiscal year 1993 supplemental appropriations; and the page concerned with community development grants.

The PRESIDING OFFICER. Does the Senator wish the entire document to be printed?

Mr. SARBANES. No; just the one page.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENTCOMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT GRANTS

For an additional amount for "Community development grants," \$2,536,000,000, to remain available until December 31, 1994: *Provided*, That from the foregoing amount, \$25,360,000 shall be available for grants to Indian tribes in compliance with section 106(a)(1) of the Community Development Act, as amended, \$4,000,000 shall be available for grants under section 107(b)(1) of such Act, and the remainder shall be for States and units of general local government that are eligible under section 106 of such Act: *Provided further*, That the Secretary may waive entirely, or in any part, any requirement set forth in title I of such Act, except a requirement relating to fair housing and non-discrimination, the environment, and labor standards, if the Secretary finds that such waiver will further the purposes of this appropriation: *Provided further*, That after December 31, 1994, any of the foregoing amount that is obligated, but which the grantee has not drawn down from its letter of credit, shall be deobligated by the Secretary and shall expire.

This supplemental request would stimulate the economy throughout a broad sector of the Nation by funding needed improvements to housing, public facilities and public services that can be carried out within a short period of time. The allocation of these funds will be based on the same entitlement configuration and formulas as employed in allocating the \$4 billion previously appropriated for the program for 1993. Tight deadlines will be established for applying for the grants, and for committing and expending the funds. Basic program rules will apply to the use of the funds, with some waivers or exceptions aimed at enabling communities to apply the funds to immediate needs with greater flexibility.

The \$2.5 billion of additional obligations in fiscal year 1993 would increase 1993 outlays by \$659 million. An estimated total of 59,600 new jobs would be generated by this proposal during fiscal years 1993-1995.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, I just want to make a prediction, and I ask the American people to pay attention to this prediction. We just had a vote in an effort to eliminate from this bill the Community Development Block Grant Program, and there has been 2 days of discussion about the list of projects not in the bill that might be funded by it. Every one of our Republican colleagues voted to eliminate it from the bill.

But I predict that after this bill is passed and these grants are awarded, that they will be right out there with the press releases, right out front announcing these projects, cutting the tapes.

Mr. SARBANES. Oh, yeah, cutting the ribbons.

Mr. MITCHELL. Cutting the ribbons, making the speeches, taking the credit. I cannot wait to see that avalanche of press releases that we are going to get from our colleagues, every one of whom will have voted to kill the funding once

the funding translates into projects in their States. By gosh, get those ribbons ready back home, folks. Get those golden scissors, get those gold-tipped spades. Our colleagues are going to be out there rushing out in front to tell the folks back home how we got this and we got that and we got the other.

That is my prediction, and I await the results.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, just to make sure my colleague is aware, the letter I am referring to is a letter by Mr. Panetta dated March 9 of this year. It states it would only provide 15,984 jobs in fiscal year 1993. Maybe the President has a different figure. I do not know. But I am going by the Director of the Office of Management and Budget.

In relation to the majority leader's comments about groundbreaking, most of these are little projects around the city. Projects dealing with fire stations, police stations, city hall.

So for all my colleagues who are excited about having new projects, I hope they also go out and tell their people that, yes, they are doing it on the backs of their children; they are doing it by deficit financing. The net result will be to increase the deficit to pay for a lot of projects that mayors did not pay for in the past. Maybe they could not get the money; maybe they did not want to raise taxes to pay for these projects; maybe their constituency did not want to pay for these projects. And so they were on the list of ready-to-go, but not done.

Of course, they have projects they want the Federal Government to pay for. They have this idea if it comes from the Federal Government, it is free. Well, it is not. The Federal Government cannot give anybody—a mayor, a Governor, or anyone else—a dime that it first does not take from somebody else. It takes it from them in the form of taxes or borrowing. In this case, it is borrowing.

So we are going to spend an extra \$2.5 billion. In addition to that, we are going to spend \$100 million in interest every year, probably, for the foreseeable future to pay for this amendment that our colleagues were so successful in defeating.

But that amendment was just \$2.5 billion. This total package is \$19.5 billion. I will tell my colleagues, that means we are going to be paying interest expense of \$1 billion a year, in addition to paying for this spending, the so-called stimulus package.

We are increasing interest expense about \$1 billion for the next many, many years. I do not think that is responsible.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arkansas [Mr. BUMPERS].

Mr. BUMPERS. Mr. President, I will be very brief so that the Senator from Maryland can speak. I just want to say to the Senator from Oklahoma that I thought the majority leader made an excellent point a moment ago.

You are talking about cutting \$2.5 billion. I will tell you, this fall, the rubber is going to hit the road in two areas, and the first one is going to be a series of amendments by Senator SASSER, perhaps Senator LEVIN, Senator WARNER, Senator COHEN, and Senator BUMPERS. It is going to be a good bipartisan approach.

We are going to offer to cut five, six times as much as you are talking about, and I invite you to join us. That is the super collider and the space station and the D-5 missile and the Star Wars Program and the intelligence budget, and I know that this year, for the first time, the people on that side are going to join us, and we are going to kill those suckers, the biggest slab of pork ever in the history of the world, and I know you are going to join us. I know the other Senators on that side are going to join us.

The other place the rubber is going to hit the road, and it is going to make it very difficult because I know you all are going to vote with us to cut not only \$10 billion in 1994, but over a period of 30 years that \$10 billion converts into, counting interest, \$350 billion—no, wait a minute, \$600 million, not counting interest; over the next 30 years, the items I just mentioned and a few others, \$350 billion. We are talking about 120 times more than the Senator is trying to cut here.

And, you know, the thing that makes it difficult to do all that cutting and trying to get the deficit under control, my good friend, the distinguished chairman of the Appropriations Committee, announced last year, as subcommittee chairman of the Subcommittee on Interior and Appropriations, he got over 3,000 requests from Members of the Senate for special projects. I am sure the Senator from Oklahoma did not ask for anything, but everybody else in the Senate did.

The Senator said there is not any way we can be fiscally responsible and honor 3,000 requests. And you know something else? Those requests did not just come from this side. My guess is those were about equally balanced between that side of the aisle and this side of the aisle.

I will tell you something else, to pursue what the majority leader said a moment ago, my guess is there will not be any difference this year. There will be another 3,000 requests from all the budget cutters, all those who are against this profligate waste of money.

So we are going to have a real stand-up time this fall. We are going to find out who the boys are and who the men are, with due respect to the female Members of this body. That is an ex-

pression, and everybody here knows what I am talking about.

I yield the floor.

Mr. SARBANES addressed the Chair. The PRESIDING OFFICER. The Senator from Maryland [Mr. SARBANES].

Mr. SARBANES. Mr. President, I am glad I walked over to the Senator from Oklahoma and asked for the document that he was relying on in order to get this number of jobs and cost per job. I want people to listen to this very carefully, because it says something about the nature of the debate and the assertions that are made on the floor.

This chart is supposedly based on Mr. Panetta's letter, and says in footnote 1, a little footnote which says: "All numbers are for fiscal year 1993 jobs."

Here is what happened, and I want this very closely understood. The President says the \$2.5 billion for the Community Development Block Grants Program is going to produce 60,000 jobs. Of that amount of money, \$659 will be outlaid in fiscal year 1993, one-fourth of the total. The 15,000 jobs footnoted in the Senator's document occur in fiscal year 1993 and relate only to this outlay figure, which is one-fourth of the total money provided.

What the Senator has done is that he put in all the money, the \$2.5 billion, but has only attributed the 15,000 jobs created in 1993 to that total. He took all the money, all of it, not just the amount spent in fiscal 1993, but also the amount spent in the subsequent years, and set off that total against the jobs just to come in fiscal year 1993. In the President's formal submission they say 59,600 total jobs, not 15,000.

Well, Mr. President, if you play that kind of game with these figures, you can quadruple the cost per job, which is exactly what the Senator has done. He took the total figure and did not divide it by the total jobs. He took the total figure and divided it by the jobs that would flow out of the outlays in fiscal year 1993.

Well, if you play those kinds of games, you can construct all kinds of castles in the sky.

Now, the President has said 59,600 jobs, \$2.5 billion. The Senator is saying 15,000 jobs, \$2.5 billion. But the footnote makes it very clear what he has done, the footnote to the very table he is citing.

So the fact is, as the President has said, 59,600 jobs and that means the jobs cost out at one-fourth of what the Senator was costing them out to be. He played a statistical trick and quadrupled the cost of the jobs.

Now, the Senator can make the argument on the one-fourth—I know he will—but that is an entirely different proposition than what he has been asserting earlier in the debate. His own chart, if you go the footnote, will demonstrate that. He goes to a footnote and takes—he takes the total figure, he takes the partial jobs, and then he di-

vides it out and gets this huge number. Then he orates about this huge number. The fact of the matter is that the jobs cost one-fourth of what the Senator asserts the jobs cost.

Mr. President, I yield the floor.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The chair recognizes the Senator from Oklahoma [Mr. NICKLES].

Mr. NICKLES. Mr. President, I put two charts in the RECORD, I will tell my colleague, and first I would say one of the charts I put in said that this entire so-called stimulus package will cost in 1993 outlays \$6.887 billion. The figures given by Mr. Panetta say that in 1993 the jobs created total 219,000 jobs. It does not say over how many years. It says 219,000 jobs are going to be created this year through this so-called stimulus package.

Well, if you start looking at the cost per job, it is exorbitant. In some programs it is over \$100,000 a job, some maybe \$40,000 and some for summer youth much less.

The point which I have made repeatedly is that we cannot afford this package. This package is all on borrowed money. All we are doing is adding to the deficit.

And so when I hear my colleague from Arkansas come up and say, well, we are going to give you real chances to make real cuts, we have a chance to make real cuts right now. Why add \$19.5 billion to the deficit. Why should we saddle future generations with not only almost \$20 billion of additional spending that is only adding to the deficit but why in the world should future generations have to pay interest on that \$20 billion of additional spending probably forever. And if it is at 5 percent interest, that is \$1 billion in additional interest expense for the next several years. I find that to be irresponsible, grossly financially irresponsible, and I hope we would not do it.

Whether you are talking about a job cost of \$40,000 per job or in some of these cases they are much less, some cases much more, this is not a good jobs program. This is a program that actually, when you are taking \$20 billion away from the private sector, is going to cost jobs. That means that is \$20 billion which will not be available to buy a new home, or to maybe buy a car, or for a business expansion, or for somebody to borrow money to start a new business. That is \$20 billion that the Federal Government has preempted because we seem to have the philosophy Government can spend that money better than people can.

So not only last week were we calling on the Finance Committee to pass the largest tax increase in history, but now we are saying thank you very much for your tax contributions. Now we want to take some money—in addition to whatever you are talking about, we want to take some additional money—

and spend it. We are not going to cut spending to pay for it. We are not even going to tax you to pay for it. We are going to increase the deficit so we can give money to mayors across the country for lots of projects so they can spend it.

So thank you very much, taxpayers. Last week we told you we were going to sock it to you for new taxes of \$360 billion, net taxes of \$295 billion. Now we are going to go out and tell the mayors come on, load up, send your proposals in. They have already sent in 4,000. Four thousand proposals the mayors have sent in. They could not pass them through the city councils, they could not get them done, or they were not high enough priority for them to fund those projects in the past but now with Uncle Sam it is free; it is not going to cost you anything, mayors. Come on in. This is going to be fun, \$2.5 billion, but we want you to spend the money fast.

The Senator from Maryland said they are going to spend out slowly, and I do not have the spend out, I tell my friend from Maryland. I do not have the spend-out rates for 1993 and 1994 for the community development block grants. Looking at the books that I held up earlier, projects that are ready to go, I am assuming that these projects are ready to go. I am sure that not all the money will be spent in 1993, but my guess is most of these projects—I looked at hundreds of them—most of those projects are projects that will spend out very close to either 1993 or certainly be finished by 1994 because most of the projects are million dollar projects. Some of them are a few million dollars, but there are 4,000 projects.

So you can see that the size of the projects individually was not real large but collectively they are in the billions of dollars. And so most of those projects will be spent either this year or next year. The cost per job is astronomical and, frankly, again, it is all paid for on borrowed money, and I do not think that is responsible.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland [Mr. SARBANES].

Mr. SARBANES. Mr. President, I do not want to prolong this needlessly, but I do want to make two points. First of all, the larger point is that the stimulus package was part of the President's overall economic proposal.

As because of the way we handle the legislation in the Congress, it had to be handled separately. If in fact it could have been included in the total package that we are talking about, then clearly it would have been in the very same bill. It would have been part of the \$502 billion deficit reduction. Actually, what you would have had instead of \$502 billion, the deficit reduction would have been somewhat less than

that. But this legislation comes to us on a separate basis because of how we have to handle this matter. But it has to be understood in the context of a very large deficit reduction package.

The other point I want to make—to me this is an important point, others may not care about it very much—but I do not see how you can have a rational debate here in the Senate if you do not, in effect, use figures accurately.

What the Senator from Oklahoma has been doing is comparing the total cost of the CDBG Program only with respect to the jobs it would produce in 1993. He gets a highly inflated cost per job because he is taking all of the money, a good amount of which will produce the jobs subsequent to 1993, and costing it out using only the jobs it creates in 1993.

What the President says in his program is that \$2.5 billion in CDBG will produce outlays of \$659 million in 1993. If you set \$659 million off against your 15,894 jobs, the Senate will cut the cost per job that he projected. It will be one quarter of what the Senator projected. You cannot—

Mr. NICKLES. I do not think the Senator is correct. Excuse me, Mr. President.

Mr. SARBANES. I would be happy to yield. I think this is worth exploring.

Mr. NICKLES. I do not believe the Senator is correct for a couple of reasons. First, the community development block grants, most of these are small projects and they would be totally fully funded by 1993, certainly by the conclusion of 1994 for the bulk of the money. I reference that because, I tell the Senator from Maryland—

Mr. SARBANES. If you want to bring in 1994, we will go get that figure.

The PRESIDING OFFICER. The Chair would remind Senators to direct their remarks through the Chair.

Mr. SARBANES. I apologize to the Chair.

Mr. President, here is what occurred.

The Senator took the number of jobs that were going to be produced in fiscal year 1993, as I understand it, and divided that into the total cost of the program even though the program would produce a number of jobs subsequent to fiscal 1993. I do not know how many of those would be in fiscal 1994. We would have to get that figure.

But if you take what the President said in his submission to the Congress about the increased 1993 outlays—which is about a quarter of the \$2.5 billion—and take 15,000 jobs which is about a quarter of the total jobs—which seems to make sense—you get a figure one quarter of what the Senator was projecting as the cost of these jobs.

If you want to add 1994, then we would have to find out how much more of that money would be spent in 1994, how many more jobs there would be, and make that division in order to find out the cost per job. But the one thing

you cannot do is take the total cost of the program and divide it only by the jobs in 1993, when those jobs are going to be produced by only part of the total amount of money. You just cannot do that. You are giving us, in effect, phony figures in this instance, and, as a result, quadrupling the cost per job.

Mr. BYRD addressed the Chair. The PRESIDING OFFICER. The Chair recognizes the President pro tempore [Mr. BYRD].

Mr. BYRD. Mr. President, is there an amendment pending at the desk?

The PRESIDING OFFICER. The committee reported substitute is the pending business.

Mr. BYRD. I had hoped that we could get an amendment laid down tonight and vote on it the first thing tomorrow. I also not only hoped, but expected that once the old parliamentary structure had been put aside, that all of these amendments we have been hearing about would be offered.

I have tried through my staff and through my own personal efforts to encourage the laying down of amendments. There are only a few on this side. I do not know how many amendments will be offered on the other side. But at least we would like to see an amendment laid down so that the Senate would have something early tomorrow morning to vote on.

Does the Senator from Oklahoma have any knowledge in that regard?

Mr. NICKLES. If the chairman of the Appropriations Committee will yield, I know Senators are planning on doing amendments. I happen to be cosponsoring an amendment with Senator BURNS that would eliminate \$28 million that is now scheduled under this appropriations bill that would go to the District of Columbia.

It is my thinking that he was planning on introducing that amendment early in the morning. I could possibly lay it down, if that would help the chairman of the Appropriations Committee as far as scheduling is concerned. I may have a copy of it. I am happy to accommodate him in that regard.

Mr. BYRD. Will the distinguished Senator be able to inquire through the Cloakroom as to whether or not we could get a time agreement, say 30 minutes, to be equally divided, in the morning to begin at, say 10:30, and vote at 11?

Mr. NICKLES. I would have no objection. I am confident enough that if we had 30 minutes on this side—there are three sponsors of the amendment, so I think we can enter into that agreement for an hour equally divided.

Mr. BYRD. Would the Senator then lay that amendment down this evening?

Mr. NICKLES. I will be happy to.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD. Mr. President, I ask unanimous consent that the amendment au-

thored by Mr. NICKLES and other Senators be made the pending question in the morning at such time as the Senate completes morning business; that there then be 1 hour equally divided and controlled in the usual form thereon.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Reserving the right to object, Mr. President, the chairman of the Appropriations Committee would go on that amendment at what time?

Mr. BYRD. At the conclusion of morning business. I understand that will be at 10:30. I would like to see the vote occur, if we could have it occur, at 11 o'clock. So if we went on amendment at 10, if the majority leader has no problem with that—it is my understanding that the morning business will be concluded at 10:30 tomorrow morning.

Mr. NICKLES. Mr. President, I ask the Senator, additionally, so we would have 1 hour of morning business to be concluded at 10:30 and we would begin the amendment at 10:30, and we vote no later than 11:30?

Mr. BYRD. Yes; there will be 1 hour on the amendment, the hour to begin running at—

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. Mr. President, will the distinguished Senator again state for the RECORD what the amendment would do?

Mr. NICKLES. I will be happy to. This is an amendment offered by Senator BURNS and myself. This would eliminate funding that is now presently in the bill for the District of Columbia. I believe it is \$28 million.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I ask unanimous consent that no amendment in the second degree be in order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank the distinguished Senator for his cooperation.

The PRESIDING OFFICER. Who seeks recognition?

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma, Mr. NICKLES.

Mr. BYRD. Will the Senator yield once more?

Mr. NICKLES. Yes.

Mr. BYRD. I beg his pardon.

Will this be a strike-out amendment?

Mr. NICKLES. The Senator is correct.

ORDER OF PROCEDURE

Mr. BYRD. Then I would ask unanimous consent that there be no second-degree amendment, no first or second-degree amendments to the language that may be stricken.

The PRESIDING OFFICER. Is there objection?

Without objection, the unanimous consent agreement is so modified.

The Senator from Oklahoma [Mr. NICKLES] retains the floor.

Mr. FORD. If the Senator will yield, Mr. President, is the Senator going to make a statement? I would like to put us in morning business.

Mr. NICKLES. I am just going to send up my amendment.

AMENDMENT NO. 285

(Purpose: Elimination of supplemental appropriations for the District of Columbia)

Mr. NICKLES. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES], for Mr. BURNS (for himself and Mr. NICKLES), proposes an amendment numbered 285.

Mr. NICKLES. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 6, line 17: strike lines 17 through 24.

The PRESIDING OFFICER. Under the previous order, the amendment will be placed before the body at 10:30 a.m. tomorrow morning with time divided up to 1 hour, with the vote to occur immediately thereafter.

NORTHERN RHODE ISLAND PROJECT DESERVES FEDERAL FUNDING

Mr. PELL. Mr. President, today we voted on the motion to reconsider the vote by which the motion to table the Brown amendment failed. I supported the motion to reconsider the vote on the Brown amendment because I believe the Brown amendment unfairly singles out an important Rhode Island economic development project as a project that does not deserve Federal funding.

The Brown amendment lists 54 projects across the country that are supposedly not worthy of Federal community development block grant funds. I am not familiar with all of the projects on this list, but I am familiar with item 41 on the list, the restoration of the Central Braid Mill building in Central Falls, RI. The restoration of the vacant Central Braid Mill in Central Falls, RI is a project that certainly should not be among the 54 projects barred from Federal funding by the Brown amendment. Once restored—by local labor—the Central braid Mill project will function as a tourism center that will feed into the growing tourism industry that is taking shape in and around the Blackstone River Valley corridor.

Federal CDBG funds were designed by Congress as a means of helping local communities target economic development projects that benefit low and moderate income individuals, aid in

the prevention of urban blight or meet an urgent community development need. The Central Braid Mill project meets all of these tests and is more than worthy of funding as a part of the President's economic stimulus package.

I have always been careful in advocating the use of Federal funds for local economic development projects. In this particular case, I believe it would be a very wise use of Federal dollars to restore the Central Braid Mill in the manner intended by the city of Central Falls, RI, and it was for this reason that I voted to defeat the Brown amendment.

MORNING BUSINESS

Mr. FORD. I ask unanimous consent that we now have a period for morning business with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING A TECHNICAL CORRECTION REGARDING THE ALBERT EINSTEIN CONGRESSIONAL FELLOWSHIP PROGRAM

Mr. FORD. Mr. President, the following items that I will propound have had the clearance of the Republican leader.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 84, submitted earlier today by Senators HATFIELD and KENNEDY, a resolution to make a technical correction with respect to the Albert Einstein Congressional Fellowship Program; that the resolution be deemed agreed to and the motion to reconsider laid upon the table; that any statement relating to this resolution appear in the RECORD in the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 84) was deemed agreed, as follows:

S. RES. 84

Resolved,

SECTION 1. TECHNICAL AMENDMENT.

Senate Resolution 239 of the One Hundred Second Congress (agreed to on November 27, 1991) is amended in section 4(e)(2) by striking "at not to" and all that follows through "6(a)".

SECTION 112 OF S. 171 REFERRED TO COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Committee on Governmental Affairs reports S. 171, a bill to elevate the Environmental Protection Agency to Cabinet status, that section 112 only of that measure then be sequentially referred to the Senate Committee on Environment and Public Works.

The PRESIDING OFFICER. Without objection, it is ordered.

AUTHORITY FOR COMMITTEES TO REPORT

Mr. FORD. On behalf of the majority leader, I ask unanimous consent that during the recess/adjournment of the Senate, Senate committees may file committee-reported Legislative and Executive Calendar business on Thursday, April 15, from 11 a.m. to 3 p.m.

The PRESIDING OFFICER. Without objection, it is ordered.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 93-29, as amended by Public Laws 98-459, and 102-375, reappoints the following individuals to the Federal Council on the Aging, for terms to begin effective April 1, 1993:

Ms. Cornelia Hadley, of Kansas, to a 3-year term; and Mr. Robert L. Goldman, of Oklahoma, to a 2-year term.

The PRESIDING OFFICER. Does any Senator seek recognition?

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Edwin R. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination which was referred to the Committee on Banking, Housing, and Urban Affairs.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 150. Joint resolution designating April 2, 1993, as "Education and Sharing Day, U.S.A."

At 5:25 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 829. An act to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize funds received by States and units of local government to be expended to improve the quality and availability of DNA records; to authorize the establishment of a DNA identification index; and for other purposes.

The message also announced that has passed the following bills and joint resolution; each without amendment:

S. 164. An act to authorize the adjustment of the boundaries of the South Dakota portion of the Sioux Ranger District of Custer National Forest, and for other purposes.

S. 252. An act to provide for certain land exchanges in the State of Idaho, and for other purposes.

S. 662. An act to amend title 38, United States Code, and title XIX of the Social Security Act to make technical corrections relating to the Veterans Health Care Act of 1992.

S.J. Res. 53. Joint resolution designating March 1993 and March 1994 both as "Women's History Month."

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PELL, from the Committee on Foreign Relations:

Thomas E. Donilon, of the District of Columbia, to be an Assistant Secretary of State.

George Edward Moose, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PELL, from the Committee on Foreign Relations, with amendments and an amended preamble:

S. Res. 68. A resolution urging the President of the United States to seek an international oil embargo through the United Nations against Libya because of its refusal to comply with United Nations Security Council Resolutions 731 and 748 concerning the bombing of Pan Am Flight 103.

SPECIAL REPORT

The following report of the committee was submitted:

By Mr. FORD, from the Committee on Rules and Administration:

Special Report entitled "Review of Legislative Activity During the 102nd Congress (1991-92)" (Rept. No. 103-31).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. KASSEBAUM (for herself and Mr. GORTON):

S. 669. A bill to permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes; to the Committee on Labor and Human Resources.

By Mrs. KASSEBAUM (for herself and Mr. DANFORTH):

S. 670. A bill to amend the Head Start Act to make quality improvements in Head Start programs, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. DOMENICI (for himself, Mr. SIMON, Mr. INOUE, Mr. SARBANES, Mr. WARNER, Mr. DECONCINI, Mr. WELLSTONE, Mr. MURKOWSKI, Mr. DANFORTH, and Mr. COHEN):

S. 671. A bill to establish a comprehensive policy with respect to the provision of health care coverage and services to individuals with severe mental illnesses, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BINGAMAN (for himself, Mr. CHAFEE, Mr. BRADLEY, and Mr. PELL):

S. 672. A bill to amend the Federal Food, Drug, and Cosmetic Act to regulate the sale and distribution of tobacco products containing tar, nicotine, additives, carbon monoxide, and other potentially harmful constituents, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself and Mr. BRADLEY):

S. 673. A bill to limit access by minors to cigarettes through prohibiting the sale of tobacco products in vending machines and the distribution of free samples of tobacco products in Federal buildings and property accessible by minors; to the Committee on Governmental Affairs.

By Mr. THURMOND (for himself and Mr. SIMON):

S. 674. A bill to require health warnings to be included in alcoholic beverage advertisements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 675. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of effectively connected investment income of insurance companies; to the Committee on Finance.

By Mr. WOFFORD (for himself, Mr. DURENBERGER, Mr. KENNEDY, and Mr. WELLSTONE):

S. 676. A bill to amend certain education laws to provide for service-learning and to strengthen the skills of teachers and improve instruction in service-learning, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON:

S. 677. A bill to authorize the establishment on the grounds of the Edward Hines, Jr., Department of Veterans Affairs Hospital, Hines, Illinois, of a facility to provide temporary accommodations for family members of severely ill children being treated at a nearby university medical center; to the Committee on Veterans Affairs.

By Mr. D'AMATO (for himself, Mr. PACKWOOD, Mr. RIEGLE, and Mr. LEVIN):

S. 678. A bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for amounts received under qualified group legal services plans; to the Committee on Finance.

By Mr. RIEGLE:

S. 679. A bill to extend and enhance the operation of the "Super 301" provisions of the Trade Act of 1974, and for other purposes; to the Committee on Finance.

By Mr. ROTH:

S.J. Res. 75. A joint resolution designating January 2, 1994, through January 8, 1994, as "National Law Enforcement Training Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATFIELD (for himself and Mr. KENNEDY):

S. Res. 84. A resolution to make technical correction with respect to the Albert Einstein Congressional Fellowship Program; considered and agreed to.

By Ms. MOSELEY-BRAUN (for herself and Mr. HATCH):

S. Con. Res. 21. A concurrent resolution expressing the sense of the Congress that expert testimony concerning the nature and effect of domestic violence, including descriptions of the experiences of battered women, should be admissible if offered in a State court by a defendant in a criminal case; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. KASSEBAUM (for herself and Mr. GORTON):

S. 669. A bill to permit labor-management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes; to the Committee on Labor and Human Resources.

TEAMWORK FOR EMPLOYEES AND MANAGEMENT ACT OF 1993

Mrs. KASSEBAUM. Mr. President, today I rise to introduce, along with Senators HATCH, JEFFORDS, THURMOND, GREGG, and DANFORTH, the Teamwork for Employees and Management [TEAM] Act, a bill to assure that our Federal labor laws do not restrict the ability of our employers and employees to cooperate with each other in the workplace. I ask unanimous consent that the bill's text be printed in the RECORD at this time.

This type of cooperation is crucial if American companies are to compete effectively with Japanese and other for-

sign countries that use these cooperative efforts to improve their quality, efficiency, and productivity. Our labor laws currently work to the disadvantage of our companies because they prevent employees from working together with their employers to discuss issues of mutual concern, including issues such as quality and productivity.

Our Federal labor laws were written during the 1930's in a period of intense industrial unrest. As a result, our labor-management relations system was designed to provide a mechanism for the peaceful resolution of these often divisive labor disputes. The assumption underlying the system was that labor and management's interests were always adverse. It was an us versus them system, with management's interests opposing the workers' interests.

The National Labor Relation Act prevented an employer from dominating or assisting a labor organization in order to assure that workers had an independent voice in resolving labor disputes. Congress wrote this prohibition into the NLRA to prevent employers from creating company unions, sometimes called sham unions, that threatened to undermine independent collective bargaining.

Mr. President, workers and management may have had totally adverse interests in the 1930's, but that is not the case today. Our economic competition does not come from within the United States—it comes from overseas. American employers and employees can no longer afford to ignore the need to work together, just as foreign competitors are working together with their employees to improve the quality of life for their employees, to increase the quality of their products, and to enhance the efficiency of their operations.

The NLRA was designed to protect worker free choice and to promote industrial stability. Ironically, however, the National Labor Relations Board [NLRB] and the Federal courts have interpreted the act to prohibit employers and employees from cooperating with each other. The Board and the courts still assume that employers and employees have adversarial interests. Therefore, they have interpreted the term "employer-dominated labor organization" to include any situation where an employer, even in a nonunion setting, establishes a committee or other process in which employees participate that deals with management regarding terms and conditions of employment. Accordingly, any workplace-involvement committee where workers express their desire to management to modify their work environment violates Federal labor law.

For example, in December 1992, the NLRB found that a small, nonunion electronics manufacturer named Electromation, violated our Federal

labor laws when, in response to financial problems, it established employer-employee committees that met for just 2 months to discuss Electromation's no smoking, attendance, and pay-progression policies. The NLRB found Electromation guilty of an unfair labor practice and enjoined it from further establishing or assisting management-employee committees.

There are currently over 30,000 companies in the United States that utilize employee-involvement processes. If we are to remain competitive, we cannot allow our Federal labor laws to obstruct employee empowerment. Workers want to help their employers compete with foreign employers. My bill allows them to do this without fear of engaging in illegal activity.

Let me provide one example. Suppose employees with a standard 40-hour workweek would rather work in four, 10-hour shifts rather than five, 8-hour shifts. Under current law, if a Kansas company formed an employee committee to discuss quality-of-life issues, and the employees and management discussed a change in work schedules, then the employer would have violated Federal law. Under the TEAM bill, this type of activity would be allowed.

Mr. President, I would like to note that Secretary of Labor Robert Reich has stated repeatedly that he supports labor-management cooperative efforts. In fact, at a recent meeting at AT&T in New Jersey, Secretary Reich mentioned that "[I]t is key to long-term profitability [of a company] for workers to be listened to. * * * No amount of government regulation or training or retraining programs will substitute for what happens in a company where there is a collaborative work force." Responding to a question about Electromation, Secretary Reich stated, "The last thing we want it to do is cast a chilling effect" on positive employee-management relations.

Mr. Secretary, the Electromation decision has had a chilling effect on workplace cooperative efforts. Many companies have contacted me in recent weeks since the Board issued its Electromation decision. They have told me that despite characterizations by some that the ruling is a narrow one, in actuality its reach is very broad, and it has raised in their minds serious questions regarding the viability of workplace cooperative programs. They believe that this legislation is necessary to remove the chill that the Board's decision is having on the continuation and expansion of employee involvement. Those companies include: Boeing, Abbott Laboratories, Duke Power Co., Eaton, FMC Corp., General Dynamics, International Paper, Johnson & Johnson, Kodak, Lockheed, Marriott, Motorola, Pepsi, TRW, Texas Instruments, Union Pacific, and US West.

Mr. President, today I am introducing the TEAM Act to allow manage-

ment and workers to meet in committees or other employee-involvement structures to discuss matters of mutual interest, including terms and conditions of employment involving quality, productivity, and efficiency. The TEAM Act will allow employees to improve their quality of life and to improve their job security by increasing plant productivity.

Mr. President, I strongly encourage my colleagues to support this important piece of legislation. I urge its swift passage to ensure that our Nation remains competitive in this increasingly global marketplace.

S. 669

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. SHORT TITLE.

This Act may be cited as the "Teamwork for Employees And Management Act of 1993".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the escalating demands of global competition have compelled an increasing number of American employers to make dramatic changes in workplace and employer-employee relationships;

(2) these changes involve an enhanced role for the employee in workplace decisionmaking, often referred to as "employee involvement", which has taken many forms, including self-managed work teams, quality-of-worklife, quality circles, and joint labor-management committees;

(3) employee involvement structures, which operate successfully in both unionized and non-unionized settings, have been established by over 80 percent of America's largest employers and exist in an estimated 30,000 workplaces;

(4) in addition to enhancing the productivity and competitiveness of American businesses, employee involvement structures have had a positive impact on the lives of those employees, better enabling them to reach their potential in their working lives;

(5) recognizing that foreign competitors have successfully utilized employee involvement techniques, Congress has consistently joined business, labor and academic leaders in encouraging and recognizing successful employee involvement structures in the workplace through such incentives as the Malcolm Baldrige National Quality Award;

(6) employers who have instituted legitimate employee involvement structures have not done so to interfere with the collective bargaining rights guaranteed by the labor laws, as was the case in the 1930s when employers established deceptive sham "company unions" to avoid unionization; and

(7) employee involvement is currently threatened by interpretations of the prohibition against employer-dominated "company unions."

(b) PURPOSES.—It is the purpose of this Act to—

(1) protect legitimate employee involvement structures against governmental interference;

(2) preserve existing protections against deceptive, coercive employer practices; and

(3) permit legitimate employee involvement structures where workers may discuss issues involving terms and conditions of employment, to continue to evolve and proliferate.

SEC. 3. AMENDMENT TO SECTION 8(a)(2) OF THE NATIONAL LABOR RELATIONS ACT.

Section 8(a)(2) of the National Labor Relations Act (29 U.S.C. 158(a)(2)) is amended by adding at the end thereof the following: "Provided further, That it shall not constitute or be evidence of an unfair labor practice under this paragraph for an employer to establish, assist, maintain or participate in any organization or entity of any kind, in which employees participate to discuss matters of mutual interest (including issues of quality, productivity and efficiency) and which does not have, claim or seek authority to negotiate or enter into collective bargaining agreements under this Act with the employer or to amend existing collective bargaining agreements between the employer and any labor organization;"

SEC. 4. CONSTRUCTION CLAUSE LIMITING EFFECT OF ACT.

Nothing in the amendment made by section 3 shall be construed as affecting employee rights and responsibilities under the National Labor Relations Act other than those contained in section 8(a)(2) of such Act.

By Mrs. KASSEBAUM (for herself and Mr. DANFORTH):

S. 670. A bill to amend the Head Start Act to make quality improvements in Head Start programs, and for other purposes; to the Committee on Labor and Human Resources.

HEAD START QUALITY IMPROVEMENT ACT

Mrs. KASSEBAUM. Mr. President, today I am introducing the Head Start Quality Improvement Act of 1993 to put into place key legislative provisions aimed at building on the success of the Head Start Program—by connecting the rapid increase in future funding with measures designed to upgrade the quality of all Head Start grantees. The Head Start Quality Improvement Act uses a five-part approach to:

First, establish general performance measures for all Head Start grantees;

Second, strengthen program accountability mechanisms, training, and technical assistance support systems for Head Start;

Third, provide for more effective enforcement of Head Start policies and instill more competition into the program;

Fourth, expand the current Head Start transition project; and

Fifth, assist families entering or re-entering the work force.

The Clinton administration has proposed to increase dramatically the budget of Head Start so that every eligible child will be served. Proposals have been put forth to expand the program in a variety of ways: by providing full-day, full-year care; by including children aged 3, 4, and 5 who are not in kindergarten as eligible children; and including services to infants and toddlers from birth to 3 years of age in some Head Start services.

The fiscal year 1993 appropriations for the Head Start Program total \$2.8 billion. This represents a 207-percent increase in funding since the 1983 level of \$912 million. In the past 5 years

alone, funding for Head Start has increased 127 percent. According to "A Vision of Change for America," President Clinton is proposing to expand Head Start funding to a level of \$8 billion in 1998, \$5 billion over the current funding level.

The substantial increases in Head Start funding over the past 10 years, combined with dramatic increases that are being proposed for the future, raise serious questions about the ability of the Head Start Program to absorb the funds efficiently. Additionally, recent reports by the inspector general of the Department of Health and Human Services have raised questions about the quality of many individual local programs.

As the Head Start Program begins a period of unprecedented expansion in services and funding, there is a need to make some constructive amendments to ensure that this opportunity to provide quality services to low-income children and their families is not lost.

I have been a longstanding supporter of the Head Start Program. However, I believe program expansion and increased funding are of limited value, unless steps are taken to improve the quality of the services that are being provided—quantity with quality.

Mr. President, I ask unanimous consent that the article from today's Washington Post, a summary of the bill, and a copy of the bill be included in the RECORD after my statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 670

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Head Start Quality Improvement Act".

SEC. 2. QUALITY IMPROVEMENT FUNDS.

Section 637(5)(B) of the Head Start Act (42 U.S.C. 9832(5)(B)) is amended by striking "25 percent" and inserting "30 percent".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 639(c) of the Head Start Act (42 U.S.C. 9834(c)) is amended to read as follows: "(c) The Secretary shall make available to carry out the Head Start Transition Project Act, from the amount appropriated under subsection (a), not less than \$50,000,000 for each of fiscal years 1993 through 1996."

SEC. 4. MONITORING AND INCENTIVE GRANTS.

Section 640(a)(2)(C) of the Head Start Act (42 U.S.C. 9835(a)(2)(C)) is amended to read as follows:

"(C) program improvement activities, in an amount for each fiscal year that is not less than 3 percent of the sum appropriated under section 639 for such fiscal year, of which amount—

"(i) 75 percent shall be made available for training and technical assistance activities that are sufficient to meet the needs associated with program expansion and to foster program and management improvement activities as described in section 648;

"(ii) 12.5 percent shall be made available to provide funds for carrying out reviews and interim evaluations under section 641(c)(1),

audits and examinations under section 647(b), and evaluations under section 651, which funds shall be used to supplement, and not supplant, any Federal funds that would otherwise have been available to carry out such reviews, audits, examinations, and evaluations; and

"(iii) 12.5 percent shall be made available to make grants to Head Start agencies that exceed the outcome measures described in section 651(b)(2), for carrying out the quality improvement activities described in paragraph (3)(A)."

SEC. 5. HEAD START AGENCIES.

(a) GRANTS.—Section 641(a) of the Head Start Act (42 U.S.C. 9836(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting "(1)" after "(a)"; and

(3) by adding at the end the following:

"(2) The Secretary may make grants to designated Head Start agencies to carry out Head Start programs under this Act.

"(3) The first grant awarded to an agency serving a community after the date of enactment of this paragraph, and first designation of such agency as a Head Start agency after such date, shall be for a period of 7 years. Subsequent grants and designations shall be made for periods of not less than 7 years.

"(4) To be eligible to be designated as a Head Start agency and receive such a grant, an agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require."

(b) REVIEWS AND INTERIM EVALUATIONS.—Section 641(c) of the Head Start Act (42 U.S.C. 9836(c)) is amended—

(1) by striking paragraph (1);

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking "and shall" and inserting "and shall conduct an interim evaluation including a site visit at the site of such agency at least once each year, in order to"; and

(ii) by inserting "including outcome measures described in section 651(b)(2)," after "requirements"; and

(B) in subparagraph (C)—

(i) by striking "The" and inserting "In addition to conducting the reviews and interim evaluations required under subparagraphs (A) and (B), the"; and

(ii) by striking "followup reviews" and inserting "followup reviews and interim evaluations";

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking "review" and inserting "review or interim evaluation";

(B) in subparagraph (A), by striking "review" and inserting "review or interim evaluation"; and

(C) in subparagraph (B), by striking "such review at the site of such agency" and inserting "such a site visit, conducted as part of a review or interim evaluation";

(4) in paragraph (4)—

(A) by striking "(4)" and inserting "(4)(A)";

(B) in subparagraph (A) (as so designated by subparagraph (A) of this paragraph) by striking "review" and inserting "review or interim evaluation"; and

(C) add at the end the following:

"(B) If, in carrying out such a review or interim evaluation, the Secretary identifies program deficits in the programs provided by the agency, the Secretary—

"(i) may require the agency to take corrective action to correct the program deficits;

"(ii) shall provide technical assistance under section 648(a) for the 1-year period be-

ginning on the date of the review or interim evaluation; and

"(iii) may conduct a full review of the program.

"(C)(i) In addition to any other authority of the Secretary to revoke the designation of an agency as a Head Start agency, if the Secretary determines that the agency described in subparagraph (B) has not corrected program deficits related to the outcome measures described in section 651(b)(2) within 1 year after the review or interim evaluation described in subparagraph (B), the Secretary may revoke such designation of the agency.

"(ii) The Secretary shall provide notice and an opportunity for comment to the agency prior to revoking the designation of the agency.

"(iii) After so revoking the designation of an agency that serves a community, the Secretary may designate, in accordance with subsection (d), an agency described in subsection (a) as a Head Start agency to serve the community and make grants under subsection (a) to such agency."; and

(5) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively.

(c) CONSIDERATIONS.—Section 641(d) of the Head Start Act 942 U.S.C. 9836(d) is amended—

(1) in the first sentence, by striking "If there is" and all that follows through "then the" and inserting "The";

(2) in the second sentence, by striking "criteria," and all that follows and inserting "including outcome measures described in section 651(b)(2), criteria, and standards, in effect on the date of designation.";

(3) at the end of paragraph (8), by striking "and";

(4) at the end of paragraph (9), by striking the period and inserting "; and"; and

(5) by adding at the end the following:

"(10) the ability of the applicant to ensure continuity of Head Start services.".

(d) EXISTING HEAD START AGENCIES.—

(1) APPLICATION.—Each agency that is a designated Head Start agency under section 641 of the Head Start Act on the date of enactment of this Act shall submit an application to the Secretary of Health and Human Services as described in section 641(a)(4) of such Act (as added by subsection (a) of this section) and in accordance with the schedule described in paragraph (2), in order to be eligible to—

(A) be designated as a Head Start agency; and

(B) receive a grant,

for an additional period under section 641 of such Act.

(2) SCHEDULE.—The Secretary of Health and Human Services shall by regulation establish a schedule for the submission of applications as required in paragraph (1), which schedule shall ensure the submission of all such applications within 7 years after the date of enactment of this Act.

(e) TECHNICAL AND CONFORMING AMENDMENT.—Section 651(g)(10) of the Head Start Act (42 U.S.C. 9846(g)(10)) is amended by striking "evaluations conducted under section 641(c)(2)" and inserting "reviews and interim evaluations conducted under section 641(c)(1)".

SEC. 6. ELIGIBILITY.

Section 645(a)(1) of the Head Start Act (42 U.S.C. 9840(a)(1)) is amended to read as follows:

"(1)(A) The Secretary shall by regulation prescribe eligibility criteria for the participation of persons in Head Start programs assisted under this subchapter.

"(B) Except as provided in paragraph (2), such criteria may provide—

"(i) that a child from a low-income family shall be eligible for participation in a program assisted under this subchapter if the child is from—

"(I) a family that has an income below the poverty line; or

"(II) a family that is eligible or, in the absence of child care, would potentially be eligible for public assistance;

"(ii) pursuant to such regulations as the Secretary shall prescribe, that programs assisted under this subchapter may include, to a reasonable extent, participation of children in the area served who would benefit from such programs but whose families do not meet the low-income criteria prescribed pursuant to clause (i); and

"(iii) that a child shall be eligible for participation in such a program if the child is from a family described in subclause (I) or (II) of clause (i) on a date not more than 2 years before such participation, regardless of whether the child was of an appropriate age to participate in such a program on such date.".

SEC. 7. NOTICE, HEARINGS, AND APPEALS.

The Head Start Act is amended by repealing section 646 (42 U.S.C. 9841) and inserting the following:

"SEC. 646. NOTICE, HEARINGS, AND APPEALS.

"The Secretary shall establish and implement procedures for providing notice, an opportunity for a hearing, and an opportunity for an appeal to persons who are grant recipients or applicants for grants under this Act. Such procedures shall be consistent with other procedures of the Department of Health and Human Services for providing such notice and such opportunities with respect to similar financial assistance.".

SEC. 8. OUTCOME MEASURES.

Section 651(b) of the Head Start Act (42 U.S.C. 9846(b)) is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end the following:

"(2) The Secretary shall promulgate regulations establishing outcome measures for Head Start agencies carrying out Head Start programs under this subchapter, which regulations shall require that, effective January 1, 1995, each Head Start agency carrying out such a Head Start program shall—

"(A)(i) conduct initial assessments of developmental skills, including physical development, self-help skills, social development, academic development, and communication skills, for not less than 90 percent of the children who have been enrolled in the program for not less than 90 days;

"(ii) conduct exit assessments of such developmental skills for not less than 90 percent of the children who—

"(I) have been enrolled in the program for not less than 6 months; and

"(II) are leaving the program;

"(iii) provide remedial activities to not less than 90 percent of the children enrolled in the program who have identified developmental delays, to address the delays;

"(iv) prepare a medical, dental, and developmental history for not less than 90 percent of the children who have been enrolled in the program for not less than 90 days;

"(v) conduct medical, vision, hearing, and dental screenings for not less than 90 percent of the children who have been enrolled in the program for not less than 90 days;

"(vi) conduct medical and dental examinations for not less than 90 percent of the children who have been enrolled in the program for not less than 6 months;

"(vii) provide necessary treatment to not less than 90 percent of the children with

identified medical and dental needs who are enrolled in the program; and

"(viii) fully immunize, in accordance with Head Start guidelines, all of the children who have been enrolled in the program for not less than 90 days;

"(B)(i) prepare a family needs assessment, which utilizes a formal assessment tool and meets such specifications as the Secretary may require, for not less than 80 percent of the families of children enrolled in the program;

"(ii) prepare a family assistance plan, which outlines the specific measures to be taken by the staff of the Head Start agency and members of the family to meet the needs of the family, for not less than 75 percent of such families;

"(iii) provide assistance to not less than 75 percent of such families who have identified needs, to assist such families in meeting the goals and objectives of the family assistance plan;

"(iv) provide an opportunity to participate in a parenting skills program, or other assistance designed to improve parenting skills, to not less than 90 percent of such families who have identified needs related to parenting skills;

"(v) provide education and job skills assistance, including participation in literacy, job search, and other activities, to facilitate participation in appropriate education and job skills programs, to not less than 90 percent of families described in clause (i) who have identified needs for such assistance; and

"(vi) provide an opportunity to participate in volunteer activities related to the operation of the program, to not less than 75 percent of the parents of children enrolled in the program; and

"(C)(i) submit to the Secretary a written management plan specifying, at a minimum, the administrative procedures, classroom operations, job descriptions, salary schedules, staffing plan, and records management, of the Head Start agency;

"(ii) submit to the Secretary a written plan specifying the goals and activities of the agency, and measurable outcomes concerning, at a minimum—

"(I) the staff to child ratios for classroom teachers, supervisory staff, support staff, social services staff, and other categories of center staff;

"(II) the outreach activities;

"(III) the facilities improvements;

"(IV) the enrollment;

"(V) the use of quality improvement funds;

"(VI) the inservice and preservice training for employees;

"(VII) the home visiting services;

"(VIII) the educational programming;

"(IX) the parent participation in activities; and

"(X) the program expansion,

of the agency;

"(iii) implement a uniform recordkeeping system that meets such requirements as the Secretary may require with respect to information, including, at a minimum, education, developmental, health, social service, assessment, and special needs information, about the children, and the families of the children, enrolled in the program;

"(iv) increase, by 25 percent each year, the percentage of teachers providing services through the Head Start agency who are certified according to such criteria as the Secretary may determine to be appropriate, until all such teachers are so certified;

"(v) develop—

"(I) a variety of volunteer opportunities for the parents of the children enrolled in

the program, which shall include opportunities to participate in management of the Head Start agency, on advisory boards, or in providing classroom assistance, outreach, or support services; and

"(II) other mechanisms to encourage the participation of such parents;

"(vi) meet all applicable licensing standards for child care facilities in the State and community in which the Head Start agency is located; and

"(vii) transmit the exit assessments described in subparagraph (A)(ii) for not less than 75 percent of the children enrolled in the program—

"(I) to the next elementary school in which such a child is enrolled; or

"(II) in the case of a child who is enrolled in a program under the Head Start Transition Project Act, to such program."

SUMMARY OF THE HEAD START QUALITY IMPROVEMENT ACT OF 1993, S. 670

The Head Start Quality Improvement Act of 1993 uses a five-part approach to enhance the quality of Head Start programs: (1) establishes general performance measures for all Head Start grantees; (2) strengthens program accountability mechanisms, training, and technical assistance support systems for Head Start; (3) provides for more effective enforcement of Head Start policies and instills more competition into the program; (4) expands the current Head Start Transition Project; and (5) assists families entering or reentering the work force.

1. PERFORMANCE MEASURES

Flexibility is one of the strengths of the Head Start program. This flexibility allows the local programs and the regional offices of the Department of Health and Human Services to negotiate the structure and substance of a program that fits the needs of the local community. However, there is a wide disparity among Head Start grantees in the quality and level of basic services provided to children and their families. Recent inspector general reports identify many areas where Head Start services fall far below the performance standards established by the Department of Health and Human Services. It is time to reinforce these performance standards legislatively by establishing minimum performance measures for all Head Start programs. To be effective, compliance with the performance measures must be quantifiable and enforceable.

The Head Start Quality Improvement Act identifies specific goals for meeting performance standards for children enrolled in a Head Start program, their families, and the program itself. An incentive fund is established to reward programs that exceed the minimum standards set in the legislation. Conversely, measures are included to help Head Start centers come into compliance with the standards, and failing those efforts, to authorize the Department of Health and Human Services to solicit competitive bids for the grant.

2. PROGRAM ACCOUNTABILITY, TRAINING, AND TECHNICAL ASSISTANCE

Performance standards have little meaning if Head Start grantees are not provided the support needed to improve the quality of services or the Department of Health and Human Services is unable to monitor and enforce those standards. The Head Start Quality Improvement Act achieves these goals in three ways: (1) developing uniform record keeping procedures; (2) devoting additional funds to quality improvement, program accountability, training, and technical assist-

ance; and (3) increasing the frequency and scope of grantee evaluations.

The recent inspector general's report raises serious questions about the accuracy of the self-reporting system used by Head Start grantees. Uniform record keeping requirements can reduce the paperwork required to monitor grantees and track the activities of children and families participating in Head Start programs. It will provide better quality assurance and a mechanism for enforcing the minimum performance standards. Additionally, it will help Head Start teachers and staff identify gaps in services, areas which need special attention, and a child's progress in the program.

The Head Start Act currently states that not less than 2 percent of appropriated funds shall be used for training and technical assistance and that 25 percent of any increase in funds be used for quality improvement activities of grantees. This bill would increase the 2 percent set-aside for training and technical assistance to 3 percent; providing supplement funds for program monitoring and evaluation and the establishment of an incentive program for Head Start grantees. In addition, the set-aside for quality improvements would be increased to 30 percent.

For effective and accurate program monitoring and the early identification of problems, it is important that there be regular, personal contact between the program staff and the Head Start Quality Improvement Act would require annual, onsite interim evaluations.

3. COMPETITION FOR HEAD START GRANTS

Competition fosters greater efficiency, encourages service providers to respond to the needs of clients, rewards innovation, and can boost the pride and morale of employees. Currently, organizations which receive Head Start grants perpetually keep those grants without any periodic recompetition. The recompetition of grants forces the grantee to focus on its achievements and the quality of its program and compete with other bidders who claim they can do better.

The Head Start Quality Improvement Act will require the Department of Health and Human Services to implement a seven-year funding cycle for all Head Start grantees, after which competitive bids must be solicited for the grant funds. Additionally, if a grantee cannot meet minimum performance standards after one year of intensive training and technical assistance provided by the Department of Health and Human Services, the amendment will require that competitive bids be solicited for the grant.

4. EXPANSION OF THE HEAD START TRANSITION PROJECT

The Head Start Transition Project is a demonstration program designed to provide "Head Start-like" services to children and families through the first few years of elementary school. Studies have shown that Head Start graduates often lose the benefits gained in Head Start by the second or third grade. Given this knowledge, it makes sense to use a portion of the increase in Head Start funds to expand the demonstration project designed to lengthen and strengthen the benefits of Head Start through the elementary school years.

The Head Start Transition Project receives \$20 million a year from Head Start appropriations through fiscal year 1994. The Head Start Quality Improvement Act will increase the set-aside for the Transition Project to \$50 million a year and extend the program's reauthorization for two additional years through fiscal year 1996.

5. ASSISTANCE TO FAMILIES ENTERING OR REENTERING THE WORK FORCE

Efforts are being made to help those dependent on welfare and other government assistance programs rejoin the work force. Welfare reform efforts have demonstrated the necessity to extend support services, such as Medicaid assistance, housing assistance, and food stamps, for a period of time after individuals reenter the work force. This increases the likelihood that these individuals will become self-sufficient and stay that way. Child care assistance has been vital to many efforts to help parents get and keep employment. Unfortunately, many parents enter the work force at low-paying jobs which are insufficient for meeting basic needs, yet high enough to disqualify them for support services which allow them to work and care for their families.

The Head Start Quality Improvement Act will permit low-income parents, who would have been eligible for Head Start services prior to entering or reentering the work force, to retain their income eligibility for two years after obtaining employment.

[From the Washington Post, Mar. 30, 1993]

WHAT'S AHEAD FOR HEAD START

Some 20 years ago, Head Start was in trouble. People were actually talking about terminating this War on Poverty experiment designed for preschoolers living below the poverty line. But Head Start managed to survive.

Today it's not just surviving; politically speaking, it's thriving. The Bush administration doubled spending. Now the ante's been upped. The talk is about serving all eligible children. There's even pressure to add Head Start to the coveted list of entitlements. The Clinton budget would steadily increase spending, adding \$13.8 billion over five years—the largest single investment in health, education and welfare.

All this sudden faith in one program has flushed out the doubters. Should the country spend so much money to expand quickly a program whose success is demonstrable but limited? The arguments parallel those being made just now about other proposed education and worker training initiatives.

In the beginning, the goals of the program were modest: to give children in poverty a head start on first grade. In the mid-'60s, many fewer children attended nursery schools and kindergartens. Head Start was simply intended to help poor kids catch up to their better-off peers.

As the program grew, so did the expectations. All this is why the efficacy argument has become so muddled and why there's such a disconnect between what the politicians say and what many social scientists report. Several years ago, for example, a western governor called Head Start the "most significant—and most effective—anti-drug, anti-crime, pro-education strategy in America." He wasn't alone in his views then, and he's not now. But those who do the research are more circumspect. Head Start doesn't necessarily raise IQs or lower crime. If it's working right—and it often isn't—it provides a boost for youngsters, helping them adjust to early schooling, getting them their shots and engaging their parents. This is important—and worth spending money on.

The budgetary tension is between quantity and quality. Congress and the administration are anxious to see that a program now serving a third of eligible children reaches all eligible ones. But "eligibility" is ill-defined. So is "full funding." Should the program be open to all eligible 4-year-olds? All

3- to 5-year-olds. For one year or two? For seven months a year or all year? What about kids just above the poverty line?

Others who watch over the program are more anxious about the quality in the more than 3,000 Head Start sites. Some Head Start programs are good; others are awful. Money was set aside in 1990 for quality control—which in many cases means raising the abysmal staff salaries—but there's more to be done.

How much of any new spending should be spent on enrolling youngsters and how much on improving existing programs? Our own sense is that it will be tricky to expand so fast and improve simultaneously. More children won't be helped unless more providers get help. "Intervention," then, should take on a double meaning. Otherwise, at more than double the price, Head Start could be in danger once again.

By Mr. DOMENICI (for himself, Mr. SIMON, Mr. INOUE, Mr. SARBANES, Mr. WARNER, Mr. DECONCINI, Mr. WELLSTONE, Mr. MURKOWSKI, Mr. DANFORTH, and Mr. COHEN):

S. 671. A bill to establish a comprehensive policy with respect to the provision of health care coverage and services to individuals with severe mental illnesses, and for other purposes; to the Committee on Labor and Human Resources.

EQUITABLE HEALTH CARE FOR SEVERE MENTAL ILLNESSES ACT OF 1993

Mr. DOMENICI. Madam President, today I am going to introduce a measure that is called Equitable Health Care for Severe Mental Illnesses. This is supported by a bipartisan group of Senators. What I am trying to do here is send a strong message through the Congress to the President and to the House that, if we are going to reform health care, it is time we reform the way we treat the severely mentally ill in this Nation.

We now have an indepth study and evaluation of the efficacy of treatment for the most severe of mental illnesses, and it points out that indeed the efficacy is very, very high, meaning that, if we will just get rid of all of the limitations on care and coverage, we will get rid of many, many millions of homeless people over time because our health care reform will cover them when they are young and teenagers, and parents and families will not go broke and put them out into the streets and byways of America.

It also means that families who have a teenage daughter or son with schizophrenia will be entitled to the exact same kind of care and treatment with no limitations, dollar limitations, on coverage that are any different than other severe illnesses such as cancer, heart condition, kidney disease, and the like.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, along with my statement and highlights of the NIMH report.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Equitable Health Care for Severe Mental Illnesses Act of 1993".

SEC. 2. FINDINGS.

Congress finds that—

(1) American families should have health insurance protection for the costs of treating severe mental illnesses that is commensurate with the protection provided for other illnesses;

(2) currently, many private health insurance policies and public insurance programs discriminate against persons with severe mental illnesses by providing more restrictive coverage for treatments of those illnesses compared to coverage provided for treatments of other medical problems;

(3) many health insurance plans limit the number of days allowed for facility care or limit the number of outpatient visits allowed for the treatment of severe mental illnesses while providing no limit for the treatment of other physical illnesses;

(4) only 21 percent of all health insurance policies provide inpatient coverage for severe mental illnesses comparable to coverage for other illnesses, and only two percent have comparable outpatient coverage;

(5) only two percent of Americans with private health care coverage have policies that adequately and fairly cover severe mental illnesses;

(6) over 60 percent of health maintenance and preferred provider organizations specifically exclude treatment for those with severe mental illnesses;

(7) private health insurance provides some type of coverage for 64 percent of all individuals with severe mental illness, but provides only 46 percent of the annual expenditures required for the treatment of severe mental illnesses;

(8) health care reform plans designed to make health care more accessible and affordable often incorporate the policies that are discriminatory with respect to persons with severe mental illnesses which now exist in common private health insurance plans;

(9) unequal health insurance coverage contributes to the destructive and unfair stigmatization of persons with severe mental illnesses, illnesses that are beyond the control of the individuals, just like cancer, diabetes, and other serious physical health problems;

(10) schizophrenia strikes more than 2,500,000 Americans over the course of their lifetimes, and approximately 30 percent of all hospitalized psychiatric patients in the United States suffer from this most disabling group of mental disorders;

(11) left untreated, severe mental illnesses are some of the most disabling and destructive illnesses afflicting Americans;

(12) studies have found that up to 90 percent of all persons who commit suicide suffer from a treatable severe mental illness, such as schizophrenia, depression, or manic depressive illness;

(13) some 10 percent of all inmates, or 100,000 people, in prisons and jails in the United States suffer from schizophrenia or manic-depressive psychosis;

(14) severe mental illness places an individual at high risk for homelessness, as approximately one-third of the Nation's 600,000

homeless persons suffer from severe mental illnesses;

(15) many persons suffering from severe mental illnesses can be treated effectively but ignorance and stigma continue to prevent many mentally ill individuals from obtaining help;

(16) seventy to 80 percent of those suffering from depression respond quickly to treatment and 80 percent of the victims of schizophrenia can be relieved of acute symptoms with proper medication;

(17) about 95 percent of what is known about both normal and abnormal structure and function of the brain has been learned in the last 10 years, but millions of severely mentally ill people have yet to benefit from these startling research advances in clinical and basic neuroscience;

(18) ensuring adequate health insurance coverage for the treatment of severe mental illnesses can reduce health and societal costs by as much as \$2,200,000,000 annually by preventing more costly interventions in the lives of persons with untreated severe mental illnesses and by helping those with severe mental illnesses, many of whom are young adults, remain productive members of society; and

(19) legislation to reform the health care system should not condone or perpetuate discrimination against persons with severe mental illnesses.

SEC. 3. STATEMENT OF POLICY.

(a) IN GENERAL.—It is the policy of the United States that—

(1) persons with severe mental illnesses must not be discriminated against in the health care system; and

(2) health care coverage, whether provided through public or private health insurance or any other means of financing, must provide for the treatment of severe mental illnesses in a manner that is equitable and commensurate with that provided for other major physical illnesses.

(b) CONSTRUCTION.—Subsection (a) shall not be construed to preclude the adoption of laws or policies requiring or providing for appropriate and equitable coverage for other mental health services.

SEC. 4. NONDISCRIMINATORY AND EQUITABLE HEALTH CARE COVERAGE.

With respect to persons with severe mental illnesses, to be considered nondiscriminatory and equitable under this Act, health care coverage shall cover services that are essential to the effective treatment of severe mental illnesses in a manner that—

(1) is not more restrictive than coverage provided for other major physical illnesses;

(2) provides adequate financial protection to the person requiring the medical treatment for a severe mental illness; and

(3) is consistent with effective and common methods of controlling health care costs for other major physical illnesses.

SEC. 5. COMMITMENT TO POLICY.

It is the purpose of this Act to commit the Congress and the Executive Branch to incorporating the policy set forth in section 3 through efforts, including the enactment of legislation, which are intended to improve access to or control the costs of health care.

SEC. 6. DEFINITION.

As used in this Act, the term "severe mental illness" means an illness that is defined through diagnosis, disability and duration, and includes disorders with psychotic symptoms such as schizophrenia, schizoaffective disorder, manic depressive disorder, autism, as well as severe forms of other disorders such as major depression, panic disorder, and obsessive compulsive disorder.

INTRODUCTION OF THE EQUITABLE HEALTH CARE FOR SEVERE MENTAL ILLNESSES ACT

Mr. President, last year, I introduced the Equitable Health Care for Severe Mental Illness Act with little fanfare.

It was to put the Senate on notice that health care reform must include treatment for severe mental illnesses that is commensurate with that for any other serious physical illness.

As the year progressed, the bill gained more and more support and at the end of the session it had twenty-one cosponsors, twelve Democrats and nine Republicans.

In addition, the National Alliance for the Mentally Ill circulated petitions that were signed by 525,000 persons from across the nation.

Including, President Clinton, and Vice President and Mrs. Gore.

Clearly these 525,000 signatures are a testimony that this is an issue that Americans feel strongly about.

It appears that this is one that the President's National Health Reform Task Force is considering including in their package.

However, to ensure that this issue remains an important aspect of the health care debate, I am reintroducing the Equitable Health Care for Severe Mental Illnesses Act with continued bipartisan support.

This issue is far greater than partisan politics.

The evidence of this can be seen in the nine Senate cosponsors. Five Democrats—Senators Simon, Wellstone, Inouye, Sarbanes, and DeConcini. Three Republicans—Senators Warner, Cohen, Danforth, and Murkowski.

And bipartisan cosponsorship in the House with Congresswomen Marge Roukema and Marcy Kaptur.

Last year, the Appropriations Committee authorized the National Advisory Mental Health Council through the National Institute of Mental Health to study the cost of providing equitable coverage for persons with severe mental illness and the efficacy of treatment for these illnesses.

It shows that severe mental illnesses are treatable and that the treatments are effective—more effective than many commonly reimbursed procedures.

Mr. President, I ask that a brief summary of the results of this report be included as a portion of my remarks.

We can no longer treat people who suffer from severe mental illness any differently and provide unequal coverage on the basis that it is cost containment.

It is not cost containment—it is discrimination.

The time is right for that discrimination to end.

HIGHLIGHTS OF THE NIMH REPORT

Number of people suffering from severe mental illness:

2.8 percent of the nation's adult population—approximately 5 million people.

Cost of equitable coverage for severe mental illness:

Will add only \$6.5 billion in new mental health care costs.

Will offset the cost with reducing health costs and cost to society by \$8.7 billion.

Will yield a net savings of \$2.2 billion for the nation.

How effective are treatments for severe mental disorders?

Panic Disorder: 80 percent success rate.

Bipolar Disorder: 80 percent success rate.

Major Depression: 65 percent success rate.

Schizophrenia: 60 percent success rate.

Obsessive Compulsive: 60 percent success rate.

How effective are treatments for commonly reimbursed cardiovascular disorders?

Angioplasty: 41 percent success rate.

Atherectomy: 52 percent success rate.

Costs to Federal Government:

People with severe mental disorders account for 25 percent (or approximately \$14 billion) of all federal disability payments (Social Security Insurance and Social Security Disability Insurance).

By Mr. BINGAMAN (for himself, Mr. CHAFEE, Mr. BRADLEY, and Mr. PELL):

S. 672. A bill to amend the Federal Food, Drug, and Cosmetic Act to regulate the sale and distribution of tobacco products containing tar, nicotine, additives, carbon monoxide, and other potentially harmful constituents, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself and Mr. BRADLEY):

S. 673. A bill to limit access by minors to cigarettes through prohibiting the sale of tobacco products in vending machines and the distribution of free samples of tobacco products in Federal buildings and property accessible by minors; to the Committee on Governmental Affairs.

THE TOBACCO AND NICOTINE HEALTH AND SAFETY ACT

• Mr. BINGAMAN. Mr. President, I rise today to introduce two bills, the Tobacco and Nicotine Health and Safety Act and the Act to Ban Cigarette Vending Machines on Federal Property. Joining me in sponsoring the Tobacco and Nicotine Health and Safety Act are my good friends and distinguished colleagues, Senators CHAFEE, BRADLEY, and PELL. I am pleased that Senator BRADLEY is also sponsoring the Act to Ban Cigarette Vending Machines on Federal Property. The goal of both bills, Mr. President, is to create a healthier, more productive, and smoke-free America.

I realize that achieving such a goal is a very difficult task and that powerful, wealthy opponents stand in our way. But I will no longer concede that the goal of a smoke-free America is unattainable. Together with legislation already introduced by my distinguished colleagues, Senator LAUTENBERG, Senator BRADLEY, and Senator HARKIN, to ban smoking in Federal buildings, raise the excise tax on cigarettes, and put an end to Federal subsidies for tobacco advertising, these measures lay the foundation for a healthier, more productive, and eventually, a smoke-free America.

I urge my colleagues to support the bills sponsored by the two Members from New Jersey and the Senator from Iowa. I also ask my colleagues to look carefully at the bills I am introducing today. First, the Tobacco and Nicotine Health and Safety Act will give the Department of Health and Human Services and the Food and Drug Adminis-

tration the clear authority to regulate—on the basis of health—additives in cigarettes and chewing tobacco and will ban the distribution of free cigarettes, which often end up in our children's hands. The second bill I am introducing highlights the Federal Government's leadership role in the effort to create a healthier America. It states that in all Federal buildings and on Federal property, cigarette vending machines will no longer be allowed.

Mr. President, I urge my colleagues in the Senate to join our effort to enact this legislation. It will take each of us, working together, to overcome the addictive effects—and the daily deaths—directly attributable to tobacco and nicotine. Each day, 1,000 Americans die from smoking cigarettes or chewing tobacco. Today, 1,000 will die. Tomorrow, another thousand, maybe more, will die. A thousand or more will die the next day. And they will continue to die until each one of us makes a commitment to addressing the dangers of tobacco use.

According to the Surgeon General of the United States, tobacco use is the single most preventable cause of death and disability in our country. Every year, tobacco products kill more Americans—about 430,000—than do alcohol and drug abuse, accidents, and suicides combined.

But aside from the personal loss of life, the economic and social costs of tobacco use are enormous. Estimates are that tobacco use costs our country more than \$65 billion in lost productivity and health care expenses. And every day, more than 3,000 Americans teenagers—or 60 percent of all new smokers—start smoking.

Yet the manufacture and sale of tobacco products remain virtually unregulated, and tobacco products are largely exempted from the laws we have established to protect the public from unsafe consumer products. All of this despite the fact that we now know without question that cigarettes and other tobacco products containing nicotine are highly addictive.

It is time for a change. It is time for the Federal Government to take an active role in regulating the manufacture and sale of tobacco products. It is time for the Federal Government to provide the American public with the facts they need to make informed decisions about the use of tobacco products.

As the former Secretary of Health and Human Service, Dr. Louis Sullivan, said:

[I]f the adult smoking rate continues at present levels, at least five million of the American children who are alive today will die of smoking related diseases. That is a catastrophe which we must prevent.

I cannot imagine that the new Secretary of Health and Human Services, Dr. Donna Shalala, would be any less committed to that goal.

With a new administration and a new Secretary of Health and Human Serv-

ices, I believe we also have a new opportunity. President Clinton and Secretary Shalala both have advocated the need for a greater focus on preventive health. They have pledged to increase the Federal Government's commitment to prevention and to work with us for a healthier, more productive America. But more important than a pledge, they have already begun to take action. New smoking restrictions are in place in the White House and the Executive Office Buildings, and other prevention programs are in the works.

I believe the Tobacco and Nicotine Health and Safety Act could lay the foundation for the type of change we need. Without question, it will lead to a healthier, more productive America.

The act:

Authorizes and directs the Secretary of Health and Human Services to regulate the levels of harmful additives in cigarettes and other tobacco products—under this authority, levels of harmful additives could be reduced or prohibited entirely;

Provides the Food and Drug Administration with the authority to regulate nontobacco products that contain nicotine, which shall be categorized as drugs;

Requires that tobacco manufacturers fully disclose all chemical additives in tobacco products; and

Prohibits the distribution of free samples and coupons for cigarettes.

This is important legislation, and again I urge my colleagues to support it.

As I mentioned earlier, the other bill I am introducing today would simply prohibit cigarette vending machines in all Federal buildings and on Federal property.

Vending machines, which are difficult to monitor, are one of the chief sources of cigarette purchases among children. For several years, the Department of Health and Human Services has used this fact to urge States and localities to ban cigarette vending machines. Over the past few years, other Federal officials, including former President Bush, joined the Department's vigorous appeal to States and localities, and the Department broadened its sights. For example, its Healthy People 2000 Report, issued by the Public Health Service 2 years ago, urges Indian tribal councils to "similarly enforce prohibitions of tobacco sales to Indian youth living on reservations" because Indian nations are sovereign and exempted from State laws. I agree with the Department's advice, but I urge those of us in the Federal Government to pause for a moment, look inward, and begin providing some much needed leadership.

While the Federal Government has been urging every other political body in the country to ban cigarette vending machines, pack after pack are loaded into—and purchased out of—vending

machines every day in countless Federal buildings. Those buildings include the Senate and House Office Buildings and the Old Executive Office Building, next door to the White House.

Mr. President, it is time for the vending machines to go. It is time for the Federal Government to lead by example. I believe that if we expect States, localities, Indian tribal leaders, schools, and parents to take steps to protect our children from tobacco, then we in the Federal Government should also join the effort. We should lead the effort.

Each one of us bears a responsibility to our children, and we should be held accountable. It is as simple as that.●

● Mr. CHAFEE. Mr. President, I am pleased to join in cosponsoring two measures that will go far toward reducing tobacco use. The first bill, the Tobacco Consumption Reduction and Health Improvement Act, increases the current excise tax on cigarettes from 24 cents to \$1. The second bill, the Tobacco and Nicotine Health and Safety Act, has among its provisions a requirement of straightforward labeling on tobacco products about the addictive nature of nicotine. These bills send a clear message that tobacco use is hazardous to one's health. This is a message that has been proven beyond a shadow of a doubt by study after study.

As we all know, one of the central issues before Congress is health care reform. A number of reports show that if left unchecked, health care costs will amount to 19 percent of the GNP by the end of the decade, and 31 percent by the year 2020. The status quo clearly is unacceptable.

In the last Congress, tremendous effort was devoted to formulating proposals to contain costs and to improve access to health care. Members of Congress quickly became familiar with concepts such as pay or play and managed competition. And although health care costs may be lowered by implementing such ideas, substantial and lasting savings will not be achieved unless we couple them with efforts to reduce preventable causes of disease and disability, such as smoking.

Mr. President, smoking is the No. 1 preventable cause of crippling and devastating circulatory and respiratory diseases. Each year, 430,000 Americans die from tobacco-related illnesses. In addition to this needless loss of life, conservative estimates suggest that tobacco use contributes \$65 billion in lost productivity and health care costs annually—a cost that is borne by anyone who pays taxes or insurance premiums.

I realize that this sizable increase in the excise tax may be viewed as punitive—that we are singling out one group. But I believe it is fair to ask smokers to shoulder some of that cost. If one compares the ratio of tax to cigarette prices, the United States ranks far below other countries. The average

combined Federal and State excise tax in the United States is 56 cents and accounts for about 30 percent of the cost of a pack of cigarettes. In Canada, a country which many people claim has an effective program to control health care costs, excise taxes account for 67 percent.

The second bill I have joined in introducing strengthens the Government's commitment to educate people about the health risks associated with tobacco use. Education is one of the most powerful tools in promoting healthy behaviors and lifestyles. By requiring straightforward labeling on tobacco products, this measure will help inform people about the addictive nature of nicotine.

Perhaps most importantly, this bill would prohibit the distribution of coupons and free samples for cigarettes. At a time when several State and local governments are stepping up efforts to curtail tobacco sales to minors, it disturbs me that many tobacco companies offer coupons through the mail for discounts or free samples. These coupons may not be intended for young people, but they often end up in their hands.

Mr. President, I know we may face a formidable task in gaining approval of these proposals—especially the excise tax. But we must persist. These measures set us on the road toward a firm Federal policy on tobacco use: We should discourage it. I commend Senator BRADLEY and Senator BINGAMAN for their fine work on this issue and urge my colleagues to cosponsor these measures.●

By Mr. THURMOND (for himself and Mr. SIMON):

S. 674. A bill to require health warnings to be included in alcoholic beverage advertisements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SENSELESS ADVERTISING AND FAMILY EDUCATION ACT

Mr. THURMOND. Mr. President, I rise today to introduce the Senseless Advertising and Family Education Act of 1993 with Senator SIMON, which would require that health warnings be included in alcoholic beverage advertisements. The bill addresses a very serious health problem facing our Nation today.

There are many reasons for requiring alcohol advertisement warnings. Today, society is marked by a heightened awareness of the effects of drugs on individuals and society. No one disputes that drugs are a leading cause of health problems, violence, and even death; yet very few people realize that the most widely used and abused drug in America is alcohol. In fact, it is a little known or acknowledged fact that the No. 1 drug problem facing this Nation is alcohol abuse.

The bill identifies a number of startling findings. The average age at

which young people begin drinking is 13. Among high school seniors, only 43 percent believe there is a risk of harm associated with drinking, and nearly 90 percent of those high school seniors have experimented with alcohol. This is especially unsettling when you consider that it is illegal in all 50 States and the District of Columbia for these children to purchase or consume alcohol.

Health care costs and savings are a paramount concern for all Americans. Consider these findings on alcohol and health care costs: Fetal alcohol syndrome is one of the top three known causes of birth defects and the only known preventable cause among the top three. The treatment costs associated with fetal alcohol syndrome and other alcohol-related birth defects in this country are estimated at \$750 million. That is a third of a billion dollars in health care expenditures that could be easily avoided. An estimated 4.5 million young people are dependent on alcohol and an estimated 18 million Americans age 18 or older have problems related to alcohol use. In fact, it is estimated that a quarter of all hospitalized persons have alcohol related problems.

Alcohol is prominent in fatal accidents and violent crimes: Almost half of the deaths resulting from automobile crashes are alcohol related. Further, almost half of the suicides and homicides involve alcohol; and the victims are intoxicated in nearly one-third of the homicide, drowning, and boating accident deaths.

Mr. President, I could continue with these shocking figures; however, at this point I want to draw your attention to one of the most important findings: Alcohol advertising, especially in the broadcast media, represents the single greatest source of alcohol awareness in the United States. This finding is significant because the messages required by this bill would become a part of the education that Americans receive about alcohol. Everyone in this room today must realize that it is imperative to educate Americans about alcohol's potentially harmful effects.

The alcoholic beverage industry is presently spending about \$2 billion a year on advertising and promotions in the United States alone. The industry representatives complain that the costs imposed on them in requiring these warning labels is significant and unfair. However, the costs to the industry would in fact be very small when compared to the savings experienced by the entire country in reduced alcohol-related health problems, crimes, and deaths.

In 1988 I introduced a bill, which became law, that required health warning labels on alcoholic beverage containers. The bill which I am introducing today builds on the 1988 law by extending the warnings about alcohol use and

abuse to the media and print advertising. The warnings would be rotated so that the American public is fully advised of the many serious health consequences of alcohol use and abuse.

There have been numerous studies conducted which indicate that a significant relationship exists between youth exposure to alcoholic beverage advertising and drinking as an adult. Other studies show that there is a relationship between alcohol advertising and behavior that leads to drinking problems. These simple health warnings will serve the much needed function of educating the American public about the consequence of alcohol use.

These health warnings are an important step in educating the consumer about the hazardous effects of alcohol consumption. I want to emphasize that like the warnings required in cigarette advertisements and on alcoholic beverage containers, these warnings do not create any legal restriction or penalty to those who do not heed the warnings.

Mr. President, I have highlighted just a few of the many reasons which justify, and in fact demand, that we require health warnings in alcohol advertisements. I have introduced similar legislation in the past which has received overwhelming support from various organizations throughout the country. The only opposition to this legislation comes from the alcoholic beverage industry whose concerns they say are focused on costs to them which would actually be de minimis.

This legislation is vital to our Nation and I urge its passage. By acting quickly and responsibly, we can make a difference in the general health and welfare of America.

In closing Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 674

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sensible Advertising and Family Education Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Alcohol is by far the drug most widely used and abused by young people in the United States today, even though it is illegal for youths under age 21 to purchase alcohol in all 50 of the States and the District of Columbia.

(2) According to the 1992 National Institute on Drug Abuse survey of high school students and young adults, 89.5 percent of high school seniors in the class of 1990 had used alcohol at least once and 30 percent had experienced a "binge" of 5 or more drinks in a row within the past 2 weeks. Among college students, 43 percent reported occasions of binge drinking, including 35 percent of the females and 52 percent of the males.

(3) The average age at which young people begin drinking is 13. By age 13, approximately 30 percent of boys and 22 percent of girls classify themselves as drinkers. According to the 1988 National High School Senior Survey, 17 percent of high school seniors reported having been drunk by eighth grade, 37 percent by ninth grade, 54 percent by tenth grade, and 71 percent by twelfth grade. Studies demonstrate that the use of alcohol by individuals before the age of 15 appears to be one of the predictors of later heavy alcohol and other drug use by the individuals.

(4) Young people are not well informed about the hazards of alcohol use. Only 43 percent of high school seniors believe there is great risk of harm from drinking activities such as binge drinking once or twice each weekend. More than one-quarter of high school seniors do not view heavy, regular daily binge drinking as entailing great risk. More than 40 percent of eighth graders, 45 percent of tenth graders, and 51 percent of twelfth graders do not perceive having 5 or more drinks once or twice a weekend as entailing a great risk.

(5) According to the Department of Health and Human Services, sponsorships and promotions on college campuses by alcohol producers and the use of celebrities and youth-oriented musical groups in advertising create a pro-drinking environment.

(6) Treatment costs for fetal alcohol syndrome (referred to in this section as "FAS") and other alcohol-related birth defects in the United States are estimated at nearly a third of a billion dollars. FAS is one of the top three known causes of birth defects with accompanying mental retardation, and the only known preventable cause among the top three. Among children born to women who drink heavily, the incidence of FAS may be as high as 25 infants with the syndrome per 1,000 live births. Among children born to other women, the FAS incidence is between 1 and 3 infants with the syndrome per 1,000 live births. The incidence of other alcohol-related birth defects is estimated to be 3 times greater than that of FAS.

(7) According to the National Institute of Alcohol Abuse and Alcoholism, an estimated 18,000,000 persons in the United States who are 18 or older currently experience problems as a result of alcohol use. An estimated 4,500,000 young people are dependant on alcohol or are problem drinkers.

(8) According to Healthy People 2000, the National Health Promotion and Disease Prevention Objectives—

(A) nearly one-half of all deaths from motor vehicle crashes are alcohol-related;

(B) alcohol is implicated in nearly one-half of all fatal intentional injuries such as suicides and homicides; and

(C) victims are intoxicated in approximately one-third of all homicides, drownings, and boating deaths.

(9) An estimated 25 percent of all hospitalized persons have alcohol-related problems.

(10) Alcohol advertising, especially in the broadcast media, represents the single greatest source of alcohol education for persons in the United States. According to a 1990 study of 10- to 13-year-olds, funded by the American Automobile Association Foundation for Traffic Safety, there is a relationship between exposure and attention by an individual to beer advertising, and expectations that the individual drink as an adult.

(11) A major 1981 federally funded study found a significant relationship between—

(A) exposure of individuals to alcoholic beverage advertising as youth; and

(B) drinking behaviors and attitudes of the individuals that can lead to certain forms of problem drinking.

(12) Over 80 percent of 2,000 adults surveyed in 1988 for the Bureau of Alcohol, Tobacco, and Firearms by the Opinion Research Corporation believe that alcohol advertising influences underage youth to drink alcoholic beverages. The survey also found that the general public feels that the young people of the United States constitute the group that is most at risk from drinking alcoholic beverages.

(13) The alcoholic beverage industry spends approximately \$2,000,000,000 each year on advertising and promotions in the United States.

(14) The 1988 Surgeon General's Workshop on Drunk Driving has recommended—

(A) that the level of alcoholic beverage advertising be matched with an equal number of pro-health and pro-safety messages; and

(B) the inclusion of health warning messages in all alcohol advertising.

(15) The National Commission on Drug-Free Schools' September 1990 Final Report, "Toward a Drug-Free Generation: A Nation's Responsibility", recommends that Congress—

(A) require additional health and safety messages on all alcohol products and advertising for the products; and

(B) consider enacting a ban on advertising and promotion of alcohol if alcohol advertising still targets youth and glamorizes alcohol use.

(16) Over two-thirds of persons surveyed in a 1988 Wall Street Journal poll favor requiring warnings about the dangers of drinking both on alcoholic beverage containers and in alcohol advertisements. Nearly three-fourths of persons surveyed in a 1990 Gallup Poll favor requiring health warning messages in alcohol advertising.

(17) Alcohol in combination with other drugs is the leading cause of emergency room drug abuse episodes.

(18) According to the Inspector General of the Department of Health and Human Services, the average binge drinker is a 16-year-old male in the tenth grade who was 12 years old when he took his first drink.

(19) A third of all students do not understand the intoxicating effects of alcohol. More than 2,600,000 students do not know a person can die from an overdose of alcohol. A projected 259,000 students think that wine coolers or beer cannot get a person drunk, cannot make a person sick, or cannot do as much harm as other alcoholic beverages.

(20) In 1989, chronic liver disease, including cirrhosis, was the ninth leading cause of death in the United States. Of 41,000 deaths attributed to liver disease in the United States, 46 percent were diagnostically associated with alcohol. Heavy alcohol use is considered the most important risk factor for chronic liver disease. Even among liver disease deaths not coded as alcohol-related, approximately 50 percent are thought to be due to alcohol use.

(21) Between 5 and 24 percent of hypertension cases are associated with alcohol. Many cases diagnosed as essential hypertension (high blood pressure having no known causes) may actually have chronic alcohol ingestion as their cause.

(22) Alcohol abuse is strongly associated with increased risk of certain kinds of cancer, especially cancer of the liver, esophagus, nasopharynx, and larynx. Alcohol is also associated with dietary deficiency that may increase cancer risk.

SEC. 3. HEALTH WARNINGS.

(a) IN GENERAL.—On and after the expiration of the 6-month period following the date of enactment of this Act, it shall be an unfair or deceptive act or practice in commerce under section 5 of the Federal Trade Commission Act (15 U.S.C. 45) for any person to—

(1) advertise, or cause to be advertised, through magazines, newspapers, brochures, and promotional displays within the United States any alcoholic beverage unless the advertising bears, in accordance with requirements of section 4(a), one of the following health warnings:

"**SURGEON GENERAL'S WARNING:** If you are pregnant, don't drink. Drinking alcohol during pregnancy may cause mental retardation and other birth defects. Avoid alcohol during pregnancy. If you are pregnant and can't stop drinking, call [insert appropriate toll free number]."

"**SURGEON GENERAL'S WARNING:** If you are under the age of 21, it's against the law to buy alcoholic beverages. For information about teenagers and young adults and drinking, call [insert appropriate toll free number]."

"**SURGEON GENERAL'S WARNING:** Alcohol is a drug and may be addictive. If you know someone who has an alcohol or other drug problem or has trouble controlling their drinking, call [insert appropriate toll free number]."

"**SURGEON GENERAL'S WARNING:** Drive sober. If you don't, you could lose your driver's license. Alcohol impairs your ability to drive a car or operate machinery. If you or people you love drink and drive, call [insert appropriate toll free number]."

"**SURGEON GENERAL'S WARNING:** Don't mix alcohol with over-the-counter, prescription, or illicit drugs. For more information call [insert appropriate toll free number]."

"**SURGEON GENERAL'S WARNING:** If you drink too much alcohol too fast, you can die. You can be poisoned by alcohol if you drink [insert number of drinks] in [insert time]. To find out more about alcohol poisoning call [insert appropriate toll free number]."

"**SURGEON GENERAL'S WARNING:** Drinking increases your risks of high blood pressure, liver disease, and cancer. The more you drink, the more likely it is that you will have such health problems. To find out how to prevent getting such health problems call [insert appropriate toll free number]."; or

(2) advertise, or cause to be advertised, through radio or television broadcasting (including cable, pay-per-view, and subscription television broadcasting) any alcoholic beverage unless the advertising includes, in accordance with requirements of section 4(b), one of the following health warnings:

"**SURGEON GENERAL'S WARNING:** If you are pregnant, don't drink alcohol. Alcohol may cause mental retardation and other birth defects."

"**SURGEON GENERAL'S WARNING:** If you are under the age of 21, it's illegal to buy alcoholic beverages."

"**SURGEON GENERAL'S WARNING:** Alcohol is a drug and may be addictive."

"**SURGEON GENERAL'S WARNING:** Drive sober. If you don't, you could lose your driver's license."

"**SURGEON GENERAL'S WARNING:** Don't mix alcohol with over-the-counter, prescription, or illicit drugs."

"**SURGEON GENERAL'S WARNING:** If you drink too much alcohol too fast, you can die of alcohol poisoning."

"**SURGEON GENERAL'S WARNING:** Drinking increases your risk of high blood pressure, liver disease, and cancer."

(b) TOLL FREE NUMBERS.—The Secretary of Health and Human Services, in consultation with the Federal Trade Commission, shall be responsible for establishing and maintaining the toll free numbers referred to in the health warnings required by subsection (a)(1). The Secretary shall annually submit a report to Congress containing information on the number of calls received from persons using the numbers and the types of referrals made as a result of the calls.

SEC. 4. REQUIREMENTS.

(a) IN GENERAL.—

(1) USE OF WARNINGS.—The health warnings required for alcoholic beverage advertisements by section 3(a)(1) shall—

(A) comply with requirements, determined by the Secretary of Health and Human Services in regulations to take effect no later than 6 months after the date of the enactment of this Act, that—

(i) one such health warning be located in a conspicuous and prominent place in each such advertisement;

(ii) all letters in such health warning appear in conspicuous and legible type that is not script or italic; and

(iii) such health warning be in contrast by typography, layout, and color with all other printed material in the advertisement, be surrounded by typographic lines that form a box, and, on an appropriate visual medium, appear on the front of an advertisement as indicated by labeling of the manufacturer or importer; and

(B) be rotated in an alternating sequence on each advertisement of a brand style in accordance with a plan submitted by such manufacturer or importer to the Secretary.

(2) PLAN.—The Secretary of Health and Human Services shall approve a plan submitted under paragraph (1)(B) by a manufacturer or importer that assures that an equal distribution of each of the health warnings is displayed on each sequence of the same or a substantially similar advertisement for a brand style at the same time. If the plan is approved by the Secretary, the rotation described in paragraph (1)(B) shall apply with respect to the applicant submitting the plan during the 1-year period beginning on the date of the approval.

(b) RADIO AND TELEVISION.—

(1) USE OF WARNINGS.—The health warnings required for alcoholic beverage advertisements by section 3(a)(2) shall—

(A) comply with requirements, determined by the Secretary of Health and Human Services in regulations to take effect not later than 6 months after the date of the enactment of this Act, that—

(i) one such health warning be included in a conspicuous and prominent manner in each such advertisement;

(ii) the health warning be read as part of the advertisement in an audible and deliberate manner and in a length of time that allows for a clear understanding of the health warning message by the intended audience; and

(iii) with respect to each advertisement for television—

(I) a graphic representation of such health warning be included after each such advertisement;

(II) all letters in such graphic representation appear in conspicuous and legible type that is not script or italic;

(III) such health warning be surrounded by typographic lines that form a box in the graphic representation; and

(IV) such graphic representation appear in the same length of time as is required for the reading of the message required by clause (ii); and

(B) be rotated in an alternating sequence on each advertisement of a brand style in accordance with a plan submitted by such manufacturer or importer to the Secretary.

(2) **PLAN.**—The Secretary of Health and Human Services shall approve a plan submitted under paragraph (1)(B) by a manufacturer or importer that assures that an equal distribution of each of the health warnings is displayed on each sequence of the same or a substantially similar advertisement for a brand style at the same time. If the plan is approved by the Secretary, the rotation described in paragraph (1)(B) shall apply with respect to the applicant submitting the plan during the 1-year period beginning on the date of the approval.

SEC. 5. DEFINITION.

For purposes of this Act:

(1) **ALCOHOLIC BEVERAGE.**—The term "alcoholic beverage" includes any beverage in liquid form that contains not less than one-half of one percent of alcohol by volume and is intended for human consumption.

(2) **PERSON.**—The term "person" means—

- (A) an individual;
- (B) a partnership;
- (C) a joint stock company;
- (D) a business trust;
- (E) an association;
- (F) a corporation;
- (G) any business or legal entity not described in subparagraphs (A) through (F), including a receiver, trustee, or liquidating agent; and
- (H) a State, a State agency, or an officer or employee of a State or State agency.

(3) **STATE.**—The term "State" includes—

- (A) any political subdivision of any State;
- (B) the District of Columbia;
- (C) the Commonwealth of Puerto Rico;
- (D) the Commonwealth of the Northern Mariana Islands;
- (E) Guam;
- (F) the Virgin Islands;
- (G) American Samoa;
- (H) Wake Island;
- (I) the Midway Islands;
- (J) Kingman Reef; and
- (K) Johnston Island.

(4) **UNITED STATES.**—The term "United States", when used in a geographical sense, includes all States.

SEC. 6. REPORT TO CONGRESS.

(a) **INVESTIGATION.**—Not earlier than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall conduct an appropriate investigation and consult with the Surgeon General to determine whether available scientific information would justify a change in, an addition to, or deletion of, a health warning set forth in section 3.

(b) **REPORT.**—If the Secretary of Health and Human Services finds that available scientific information would justify the change, addition, or deletion described in subsection (a), the Secretary shall promptly submit a report to the appropriate committees of Congress containing—

- (1) the information; and
- (2) specific recommendations for such amendments to this Act as the Secretary determines to be appropriate and in the public interest.

By Mr. WOFFORD (for himself,
Mr. DURENBERGER, Mr. KENNEDY,
and Mr. WELLSTONE):

S. 676. A bill to amend certain education laws to provide for service-learning and to strengthen the skills of teachers and improve instruction in

service-learning, and for other purposes; to the Committee on Labor and Human Resources.

SERVICE-LEARNING ACT OF 1993

• **Mr. WOFFORD.** Mr. President, President Clinton is leading the charge to infuse service into all aspects of our national life. Speaking before students at the University of Notre Dame, he sketched a bold vision for education in America. He said: "I think of schools where young people are called not only to academic achievement but to volunteer work in hospitals and nursing homes, tutoring programs, and homeless shelters, as a fundamental component of education." Our President is challenging all Americans to serve according to our means, talents, and stage of life.

Part of this spirit and system of service applies to students in elementary and secondary schools. Today I am pleased to join with Senators DURENBERGER, KENNEDY, and WELLSTONE to introduce legislation to make this vision a reality. This legislation will help schools link academic study and community service. The Service-Learning Act of 1993 is based on a simple yet powerful truth: Students learn best by doing, by being active and engaged in the process of learning.

In 1990, the President of the United States and all 50 Governors recognized this approach as an integral part of our Nation's educational goals. In their Charlottesville declaration, they proposed that all States and school systems act to ensure that by the year 2000 "all students will be involved in activities that promote and demonstrate good citizenship, community service and personal responsibility." Service-learning was seen as an important way to achieve goal three: That all students are "prepared for responsible citizenship, further learning, and productive employment in our modern economy."

Service-learning can be a critical element in education reform. Active learning through community service, especially if it is curriculum-based, improves student achievement by making classroom learning more meaningful. It can reengage students turned-off by traditional teaching methods. Service-learning promotes teamwork, leadership, and problem-solving. In successful programs of service-learning, students replace alienation with engagement, exchange boredom with excitement, and learn the exhilaration of making a difference. In this active form of education the community becomes the classroom and students become resources. Thus service-learning will help us achieve all of the national education goals set in Charlottesville—for better teaching and better learning.

Many schools across the country are integrating community service and academic subjects with great success. In Pennsylvania, the statewide

PennSERVE program is working to bring a culture of service into the schools. In Fulsome, PA, students learned physics as they help families make their homes more energy efficient. In Philadelphia, students teach younger children about preventive health care—reinforcing the importance of preventive health care in their own lives. In Pennsylvania, we have demonstrated that service-learning improves academic achievement, especially for those students most at-risk.

This concept of learning by service has been supported by Pennsylvania's State Board of Education and major educational organizations in the Commonwealth. The State board has indicated that "programs of community service should be an integral part of education at all levels." Our Commonwealth is seeking to find the ways and means of making community service a common expectation and experience of all young Pennsylvanians as they prepare to be the work force of the future.

The Service-Learning Act introduced today, will make it easier for programs like ours in Pennsylvania to flourish. It amends existing Federal primary and secondary school programs, most of which will be reauthorized this year, to encourage and promote the inclusion or expansion of service-learning programs. Title I of this act makes better use of existing funds. For example, this legislation will encourage schools to use Eisenhower math and science funds to enable teachers to teach classes at the banks of a river—where students can measure and monitor pollution levels. Or teachers could use drug education funds to develop peer counseling programs.

The Service Learning Act also creates a teacher training program. Schools, universities, and community organizations will be encouraged to form partnerships and apply for competitive grants for training both new and veteran teachers. This training will expose teachers to innovative methods of instruction designed to employ the resources of the community while at the same time meeting its needs. We as a nation are finally recognizing the importance of better training of our work force. For teachers, too, we need to give them every opportunity to excel. Service-learning helps teachers teach better and promotes the notion of teachers as coaches in the process of education.

When integrated into a school's curriculum, community service can enhance student performance in a wide range of studies. A child who tutors others in algebra hones his own math skills. A child who plants trees in a public park learns about biology. And a child who helps a recent immigrant learn English will gain a greater understanding of the rules of grammar. Service-learning can benefit all types of students—from those who are bored

with traditional course work to those particularly gifted students who need greater challenges to remain interested in school.

Too many children are leaving school without the knowledge and skills they need in order to function as skilled and engaged citizens. We need to use methods that foster the development of every child's skills and abilities to think critically, to work as part of a team, to make ethical judgments and act on them, and to apply what they learn beyond the classroom.

The strength of our democracy depends on educated, informed, and involved citizens. We must instill in children from an early age that they are part of a larger community—and that citizenship entails certain responsibilities.

But beyond that, children gain the confidence that comes from realizing that they are needed and valued, and that through their actions they can effect change—both in their own lives, and in the world. This confidence will help children to succeed in school. Often, children become disillusioned with education because they see its benefits as some vague and distant promise of future prosperity. Service-learning makes education relevant by making learning active instead of passive and empowering students with a sense of accomplishment from their community involvement.

Finally, this act is about the reinvention of Government, beginning with the reinvention of our schools. It is a bill designed to foster partnerships to reinvent how teachers teach and how students learn in order to better prepare us to compete in the 21st century.

I look forward to working with my colleagues to make service-learning an integral part of education in America. ●

● **Mr. DURENBERGER.** Mr. President, I rise today to join with my distinguished colleague from Pennsylvania to introduce the Service Learning Act of 1993.

It is appropriate that two Senators from Pennsylvania and Minnesota would take the lead in introducing this bill, Mr. President, because our two States have a well-deserved reputation for leading the Nation in integrating community service and education.

And, I am especially pleased to join with Senator WOFFORD in launching this initiative—a Member of this body who has been a national leader in tapping the spirit and energies of America's younger citizens for more than three decades.

Mr. President, I've said many times before that I came to this issue several years ago with a much narrower vision of what we've traditionally called voluntarism.

My vision was limited to my own experience as a community volunteer, as president of the South St. Paul Jaycees, as president of the Burroughs Ele-

mentary School PTA, as an active participant in the citizens league, and a whole host of other community projects and community organizations.

My vision was also defined as voluntarism by my years as a director of VOLUNTEER, the National Center for Voluntary Action, and by my work in the 1970's on the National Study Commission on Volunteering in America.

I did my own volunteering out of a strong sense of civic duty. And, I still believe that promoting what President Bush called a thousand points of light is an important part of what promoting national and community service is all about.

But, from people like Jim Kielsmeier and a lot of teachers and students in Minnesota, I've also learned that integrating community service into the school curriculum—from kindergarten through college—can be an essential element in education reform.

And, I've learned that service corps and other forms of stipend service can be an effective education alternative for students who aren't well-suited for more traditional forms of schooling that are based only on textbooks used in the classroom.

This growing awareness of the links between community service and education is one reason I became the first Republican to cosponsor the National and Community Service Act when it was introduced in 1989.

I intend to be an active participant in reauthorizing that legislation later this year. And, I also look forward to playing a constructive role in Senate consideration of the President's national service proposal.

I'm especially pleased that—as part of that initiative—the President is recommending a total overhaul of our Nation's bureaucratic and inflexible student loan system along the lines that Senator SIMON and I first proposed in 1991.

Mr. President, the legislation that Senator WOFFORD and I are introducing today could play an important role in achieving the President's challenge to mobilize and motivate America's youth through national service.

Our proposal tackles that challenge—not from Washington—but from every school building and classroom in America.

It tackles that challenge within existing legislation and without spending a lot of new money.

And, it tackles that challenge in a way that draws on some of the best resources this Nation has—America's elementary and secondary school teachers and the colleges and universities and in-service programs that help train them.

I've already stated that my enthusiasm for this legislation is based in large measure on the leadership that my home State of Minnesota has given to what we now call "service learning."

One of my first experiences with that concept came a few years ago when I met with a small group of students at the Plymouth Youth Center's alternative high school in north Minneapolis.

One of those students was a young man named Scott.

Scott's life hadn't been easy, either at home or in school. I sensed he probably hadn't had a lot of attention from his family, and probably didn't have a very high opinion of himself, either.

But, Scott told me about how he became a reading mentor for a kindergarten student in the service learning program that's required of all students attending his school.

He became a better reader through that program.

And, I could tell from listening to him that—because of that experience—Scott felt a whole lot better about himself.

Mr. President, I saw an even more direct link between community service and an academic curriculum last summer when I invited National Park Service Director Jim Ridenour to view Minnesota's rich natural resources first hand.

When Jim and I were in Grand Rapids, we learned about a local effort to monitor and improve water quality in the Mississippi River, barely 65 miles from its source.

Part of that local effort is run by student volunteers as part of a program called River Watch.

Under the River Watch Program, professional scientists design a water quality monitoring plan and develop field procedures and reporting requirements. The goal of the program is to regularly check river water to make sure State and Federal water quality standards are being met.

The biologists and other scientists also have responsibility for training volunteers, including Grand Rapids area middle and high school students who participate in River Watch as part of their science curriculum. Teachers also play a big role in both advising the students and making sure the volunteer water testing is backed up by classroom work and reading.

On the day I was in Grand Rapids, three young people—Teyana Kayser, Shawn Bloom and Brice Pierce—gave me a thorough explanation of how the program works. They demonstrated how water samples are collected and how the dissolved oxygen content of the water is measured. They also explained why these and other tests are used as indicators of the water quality in the river.

Needless to say, Director Ridenour and I were impressed, not just with the commitment these young people have to the environment, but by their detailed knowledge of what a concept as common clean water really means.

Overall, the students' grasp of the science behind water quality monitor-

ing convinced me that this is how a lot more teaching and learning ought to be happening in America's schools.

River Watch is only one of hundreds of service learning projects now in place in school districts all over Minnesota.

Since Minnesota's pioneering youth development legislation was first adopted in 1987, the number of school districts with a young development plan has grown from 158 to 325. More than 100,000 Minnesota elementary and secondary students are now engaged in some type of community service activity through their schools, a whopping increase of 40,000 students in just the last year. And, almost 40 percent of Minnesota's 399 school districts now offer academic credit for youth service and service learning.

One of the reasons for this phenomenal growth is Minnesota's commitment to put State and local resources behind links between youth service and education.

Since 1987, Minnesota school districts have been levying a small per capita property tax assessment for youth development and service activities. The money, which currently totals \$3.5 million statewide, is channeled through each district's community education program.

Minnesota has also put State resources into post-secondary service learning projects on public and private college campuses. And, Minnesota has one of the Nation's best-run conservation corps, run by the State's Department of Natural Resources.

Overall coordination for Minnesota's youth service activity is provided by a Governor's advisory task force on mentoring and community service. The task force is currently chaired by Jim Kielsmeier, president of the National Youth Leadership Council, and one of the Nation's foremost youth service leaders.

Minnesota's vision and long-term commitment to youth service also played a key role in securing Federal funding this year from the Commission on National and Community Service.

Minnesota received grants of \$236,000 under the ServeAmerica program to support its K-12 service learning programs, \$150,000 for college-level programs, and \$245,000 as one of eight leader States—funds that are being used for evaluation, self-evaluation, curriculum development and establishment of academic standards in Minnesota and a number of other States.

With its ServeAmerica grant, Minnesota has funded 23 K-12 programs run by small rural school districts, an Indian reservation in northeastern Minnesota, and both suburban and central city school districts in the Twin Cities.

One of the more innovative projects is run jointly by the St. Paul Schools' New Americans Program and the Ramsey County Public Health Depart-

ment. It's developing a youth service corps that involves youth from families that are recent immigrants or refugees. After working with adults in the health and human services fields, participating youth are sharing their knowledge with other youth from their own cultural background.

Another innovative project is the Students Reaching Out Program at Anwatin Middle School in Minneapolis. Under this program youth with disabilities are being given the opportunity to tutor younger children at a neighboring early childhood center.

And, still another project is being run jointly by the Minnesota Pollution Control Agency River Watch Program, the Ojibwe School, and the Fon Du Lac Reservation near Duluth. Students trained in water quality monitoring through the project and also are working with younger students on a variety of environmental issues.

All of these service learning projects—and hundreds of others all over Minnesota—are just the kind of initiatives the Service Learning Act of 1993 is designed to encourage and support all over the nation.

The legislation Senator WOFFORD and I are introducing today pursues that ambitious goal in three ways:

First, this legislation elevates the visibility and importance of service learning methodology within existing K-12 education programs authorized by the Elementary and Secondary Education Act. Those programs include the Eisenhower Math and Science Program, local targeted assistance programs, and the Secretary's Fund for Innovation in Education.

Second, this proposal improves the ability of teachers and others to effectively use service learning as part of the K-12 curriculum—by authorizing a major new teacher training program to be run by school districts and higher education institutions all over America.

I am especially pleased, Mr. President, that this legislation makes it possible for nonprofit youth service workers—in organizations like the Scouts, YM/YWCA, 4-H, and others—to participate in teacher training programs run by school districts if they are involved in team service learning projects with teachers at the local level.

Finally, the legislation we're introducing today encourages more direct links between education programs and institutions and youth service programs run by others, including programs funded under the National and Community Service Act.

I am pleased, Mr. President, that the proposal strengthens and provides explicit funding for the regional clearinghouse provisions in the National and Community Service Act of 1990. I authored that section of the earlier act and believe that the amendments we're

introducing today will ensure that regional clearinghouses will promote even stronger links between community service and education.

The legislation that Senator WOFFORD and I are introducing today was drafted following extensive consultation with the Alliance for Service Learning, a new national coalition of individuals who are leaders in integrating youth service and education, and with a number of other education and youth service organizations nationally.

Mr. President, this bill represents a major step forward in making service learning part of mainstream education. Too often, service learning is viewed as an extracurricular activity—something that's a nice add-on—an addition or supplement to what goes on in the classroom.

The purpose of this bill is to get educators to think of service learning every time they design a course or curriculum. And, it's also designed to offer every teacher the opportunity to become a trained service learning practitioner, either through midcareer in-service training or at the time they get formal teacher training in college.

I am personally optimistic, Mr. President, that those goals will be achieved. But, I am also reminded that the kind of fundamental changes we're seeking through this legislation very seldom originate in Washington.

One of my personal mentors on this subject has been Wayne Meisel, a young man who grew up with my kids in south Minneapolis and is now a member of the Commission on National and Community Service. Wayne summarized the reality of how change occurs when he recently wrote, and I quote:

"Movements are not born in Washington, DC. In fact, by the time they reach our Nation's Capital, they have already happened. The youth service movement is no different."

The movement Wayne Meisel is part of involves millions of young people and thousands of teachers and youth service workers all across the country.

My hope is that the legislation Senator WOFFORD and I are introducing today will help make that movement an integral part of how we teach and learning in every school building and every classroom in America.

In fact, the ultimate purpose of this bill is to make every community in America a classroom and an environment in which the talents and energies of our youngest citizens can be fully engaged and fully appreciated.

Nobody has a greater stake in addressing all the challenges we face as a nation than our children and our youth. And, as a nation that thrives on tackling tough challenges, we can't afford to leave that tremendous natural resource untapped.

Mr. President, I would ask unanimous consent that my statement be

followed by a brief summary of the legislation we're introducing today, along with a statement by Wayne Meisel and an article reflecting the views of Jim Kielsmeier.●

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE SERVICE LEARNING ACT OF 1993

GENERAL CONTEXT AND PURPOSE

The "Service Learning Act of 1993" is designed to accomplish three main objectives:

First, to elevate the visibility and importance of service learning as a teaching and learning methodology within existing K-12 education programs authorized by the Elementary and Secondary Education Act;

Second, to support programs that improve the ability of teachers and others to effectively use service learning as part of the K-12 curriculum;

And, third, to encourage more direct links between education programs and institutions and youth service programs run by others, including programs funded by under the National and Community Service Act.

The proposal was drafted following extensive consultation with the Alliance for Service Learning, a new national coalition of individuals who are leaders in integrating youth service and education, and with a number of other education and youth service organizations nationally.

Its chief authors are Senators Harris Wofford (D-PA) and Dave Durenberger (R-MN). Both Senators represent states that have been leaders nationally in linking youth service and education.

ELEVATING THE VISIBILITY AND IMPORTANCE OF SERVICE LEARNING IN EXISTING K-12 EDUCATION PROGRAMS

Title I of the Service Learning Act of 1993 takes an entirely new approach to using federal policy to encourage service learning as a teaching and learning methodology.

Rather than creating new programs or authorizing significant additional spending, this title is intended to integrate the concept of service learning into a number of existing federal education programs. The goal, in other words, is to get educators to think of service learning as a potential component of every program and every course—not as an "add-on" or extra-curricular pursuit.

It does that by explicitly adding service learning to "allowable uses" of funds under a number of different programs authorized by the Elementary and Secondary Education Act (ESEA). In some cases, support for service learning projects is also included among specific program funding priorities.

Program authorizations in the ESEA into which specific service learning language is added include:

- Local Targeted Assistance programs,
- Law Related Education programs,
- Blue Ribbon Schools program, and
- Eisenhower Math and Science Critical Skills.

- Improvement Programs (both elementary and secondary and post-secondary programs)
- Magnet Schools program,

Secretary's Fund for Innovation in Education, and

- Drug Free Schools program.

In addition, Title I:

Directs the Secretary of Education to carry out a program of grants and contracts to encourage state and local education agencies and others to establish and conduct service-learning programs; an authorization of \$20.0 million is included in this section.

Requires the National Diffusion Network within the Department of Education to coordinate with the Commission on National and Community Service in identifying and disseminating information regarding innovative service-learning programs.

Authorizes the Secretary of Education to develop materials, provide assistance and make grants to strengthen and expand service learning by infusing service learning into core academic curricula.

A MAJOR NEW NATIONAL COMMITMENT TO TEACHER TRAINING IN SERVICE LEARNING

Title II of the Service Learning Act creates a new service learning teacher training grant program. This program is intended to expand and improve the training and retraining in service learning of K-12 teachers, school leaders, other school personnel, and other community members who are engaged in "team" service learning projects with teachers.

Under this Title, the Secretary of Education is authorized to make competitive grants to states, with the size of grants determined by the number of children ages 5-17 in each state.

Each state's grant is to be divided as follows: 75 percent going on a competitive basis to elementary and secondary education programs; and 25 percent—also on a competitive basis—to post-secondary programs. In each case, no more than five percent may be reserved for administrative expenses at the state or local level, or by the grant recipient.

Proposed funding authority for the teacher training programs is as follows: For FY1994; \$75 million; for FY1995: \$100 million; for FY1996; \$125 million; for FY1997-98: "such sums as may be necessary." Actual funding levels will be determined each year by appropriations.

The K-12 section of this Title authorizes grants to be made to local school districts on a competitive basis by the state department of education. Funds may be used for either teacher training programs or for grants to individual teachers to undertake projects to improve their teaching ability. At least five percent of the funds in each state are intended to be reserved for demonstration and exemplary programs and the dissemination of information within the state on those programs.

In awarding grants, special consideration is to be given to service learning projects for historically underrepresented and underserved populations of students, including females, minorities, individuals with disabilities, individuals with limited-English proficiency, and migrant students.

The higher education section of this Title also reserves up to five percent of the funding each state receives for state-level administrative expense and requires that at least 95 percent be used for competitive grants to both public and private higher education institutions.

Grant recipients are to use the funds to establish traineeship programs for new teachers, retraining, and inservice training for teachers to learn and improve teaching skills in service learning, and retraining of higher education faculty in service learning methodology and techniques.

These programs must be run under agreements with one or more local school districts to provide training for their teachers, including teachers at private schools in those districts.

A priority in awarding grants is given to higher education institutions conducting cooperative programs that involve a local school district and a non-profit organization.

Applications for grants to states are to cover three years. The proposal spells out a number of items that must be included in each state's application including an assurance that federal funds will not be used to supplant existing state and local service learning funds and that funds received under this program will be coordinated with other similar programs, especially those funded under the National and Community Service Act, and linked to other school reform plans.

Applications for grants to local school districts are also to cover a three-year period and may be initiated by consortia of school districts or school districts and one or more higher education institutions. The applications must include information on current levels of participation in service learning projects, the needs of current teachers in service learning, how funds will be used, how funds will be coordinated with other service learning programs, and how progress toward stated objectives will be monitored.

A special provision is included to ensure that there will be equitable participation of teachers and other school personnel in private schools.

At the national level, the Secretary of Education is required to provide technical assistance and develop procedures for state and local evaluation of the teacher training programs authorized and funded. The Secretary is also required to report every two years to the Congress on activities assisted under this program. And, in conjunction with state and local education agencies and the Commission on National and Community Service, the Secretary is required to develop model reporting standards to encourage comparability of data required in evaluating funded projects.

TIES BETWEEN EDUCATION AND SERVICE LEARNING ALSO ADDED TO OTHER FEDERAL LAWS/PROGRAMS

In addition to the links to service learning added to programs authorized by the Elementary and Secondary Education Act, title III makes similar links to programs authorized by two other laws.

First, the regional clearinghouses authorized by the National and Community Service Act are specifically authorized to provide and collect information regarding school-based service learning.

A specific funding authorization of \$4.0 million per year for the regional clearinghouses receiving grants from the Commission is also included in this Title of the proposal.

And, second, the Office of Education Research and Improvement (OERI) within the Department of Education is given the additional assignment to conduct research on experimental based methods of instruction, such as service learning.

WHAT YOU CAN DO FOR YOUR COUNTRY

(By Wayne Meisel, Commission Board Member)

Ever since William James wrote the "Moral Equivalent of War" in 1910, our country has struggled to develop a comprehensive vision and program for national service. It is only recently, however, that we have begun to develop a comprehensive, clear, and attractive national service program that is capable of capturing the imagination of politicians and the American public.

Historically, national service has been defined as young people making a full-time commitment to serve. In that same spirit, this report to Congress defines national service as full-time service opportunities (or the

part-time equivalent.) I believe this definition is limiting and represents an antiquated version of what national service is today.

National service is not limited to those who choose to serve full-time. All young people can serve. National service is not a program, it is a calling. National service is not for a select few, it is for everyone.

National service is: a vision that young people can make a difference; a challenge to all young people, whether they are in college, grammar school, or have dropped out or graduated; a statement to young people that they are valued; an acknowledgement that idealism is the nature of youth; a realization that youth can be as much at strength as they are at risk; a common thread that connects all young people to a single purpose; and an idea that challenges and dispels the myth that young people are apathetic or that America is not the dream it used to be.

The community service movement of the eighties has brought new life to the idea of national service. Yet, we must understand what lies behind this movement. This movement has been inspired, conceived and brought to life by elementary, junior high, high school, and college students, boy scouts and girl scouts and church youth groups, as well as participants in service corps and other full-time placements. To define national service as full-time service would be to ignore millions of people who have brought momentum to the community service movement.

Movements are not born in Washington, DC. In fact, by the time they reach our nation's capitol, they have already happened. The youth service movement is no different. This movement was created by the millions of young people who have had the courage to disregard the stereotypes that label them as apathetic.

The Commission on National and Community Service was established to explore and gain an understanding of what national service was and to learn what worked and what didn't. We have studied models, listened to the public, and invested in programs so that we would come to understand what national service is, all so that we could in turn make suggestions to Congress, the President and the American people.

The concept of national service is at a crossroads. As this country moves forward towards defining a vision for national service and implementing a policy, we must turn to Congress and the President to help launch and support a national service policy that includes all those who have rekindled the American spirit and have reclaimed a sense of hope for this country.

YOUTH SERVICE—MINNESOTA MAY LAND A NATIONAL PROJECT, ADVISER TO CLINTON SAYS
(By Jean Hopfensperger)

Minnesota may land one of the youth service projects, proposed by President Clinton Monday, that would allow students to do community service in exchange for college or vocational training.

That's the prediction of Jim Kielsmeier, who has been flying to Washington regularly to advise the Clinton administration on developing a national youth service plan.

Kielsmeier says he thinks Minnesota has a lot to teach the nation. The state has more than 120,000 young people in community service projects ranging from serving as mentors for poor children to planting trees. Twenty-five colleges offer volunteer programs for students. Minnesota is the only state that funds youth service through local taxes.

"What I'm doing is trying to make a case for a national version of what we do in Minnesota," said Kielsmeier, who leads the National Youth Leadership Council, based in Roseville. He also heads the Governor's Task Force on Community Service.

The council's otherwise low-key low-budget office in the Fairview Community Center is enjoying a brush with fame these days, with faxes rolling in from the White House and calls coming in from the New York Times.

Kielsmeier met with Clinton people last week to analyze the president's new "summer of service" pilot project, which would send about 1,000 young Americans to grade schools, nursing homes, state parks and other sites to do community work in exchange for financial help to pay for their education. The plan calls for enlisting 100,000 young people by 1997.

The Minnesota's advice: Work with community youth groups, not a federal bureaucracy, to launch the projects. Make sure there's a strong learning component for the volunteers. And don't make the program sound like a handout to kids who want a free college education. Stress what young people can offer communities.

"The gripe I have about the Clinton initiative is that it sound like an entitlement program for college kids," Kielsmeier said. "We have to change that around. We need young people working in our communities today."

"For example, some of the most effective drug treatment programs are those operated by young people for their peers. Similarly, young people are very effective as caregivers for older people and have a strong environmental conscience."

Kielsmeier says Clinton's staff apparently wants the training for these programs to take place in outdoor "adventure" settings, something like the Outward Bound program. Staff members expressed interest in a summer program called Walkabout, which operates in Minneapolis and St. Paul, he said. It trains high school and college students in a wilderness setting and then sends them off to be teachers' aides in summer schools.

About five students are matched with a grade school teacher, who might normally have to teach 25 students alone. With the older students' help, the teacher can take the children on field trips and other programs in the community that can make summer school a richer experience for them.

Kielsmeier said he's been trying to sell the Clinton staff on the idea that youth service projects are closely linked to education—the education of the youths involved. In other words, it's more than just a chance to get a free college education or some job training. "Talk to anyone who worked for the Peace Corps and they'll tell you it was one of the most educational experiences of their lives," he said.

He said Minnesota is the only state in the nation where school districts fund community service work. About 324 of the state's 400 school districts levy taxes so their students can do community service work, he said.

Likewise, Minnesota is unusual because the governor's office—first under Rudy Perpich and now under Arne Carlson—is promoting youth service. The state's congressmen, Twin Cities mayors and state legislators have actively promoted the idea as well, he said. There is a bill in the Legislature this session to expand full-time community service opportunities as well as those for students.

"There is a state-level presence saying this should be part of the growing-up experience

of every young person in Minnesota," said Kielsmeier.

"My dream is that community service should be as common as athletics," he said. "When you go to school, you should be able to be involved in service as much as athletics. Just as you can go on to varsity sports, you should be able to go on to new levels of service."

"And as you go on to your next stage in life, you won't just look at 'What am I going to do in sports?' this year, but 'What am I going to do to help the state?'"

To help make that dream a reality, Kielsmeier hopes to get Minnesota students involved in Clinton's plan. Members of the governor's task force on community services will look at how the state should respond to the plan next week, he said.

Kielsmeier has asked St. Paul Mayor Jim Scheibel and Minneapolis Mayor Don Fraser to consider submitting a joint proposal to participate. "Once I hear from the mayors, I hope to get a metro-area group together to create a response to the Clinton opportunity this summer, maybe looking to a program like Walkabout," he said.

By Mr. SIMON:

S. 677. A bill to authorize the establishment on the grounds of the Edward Hines, Jr., Department of Veterans Affairs Hospital, Hines, IL, of a facility to provide temporary accommodations for family members of severely ill children being treated at a nearby University Medical Center; to the Committee on Veterans Affairs.

CONSTRUCTION OF A RONALD MCDONALD HOUSE

• Mr. SIMON. Mr. President, Loyola University Medical Center in Chicago is a regional Illinois center for delivery of high-risk infants, has a neonatal intensive care unit, offers comprehensive high-risk obstetrical care, and pediatric trauma service. In addition, it has a nationally reputed burn center and special programs for treatment of children with cancer, spina bifida, blood disorders, heart disease, and head and spinal injuries.

Loyola is adjacent to Edward Hines, Jr. Veterans Administration Hospital. Together with over 500 volunteers, Loyola and Hines have worked with the McDonald's corporation to plan a Ronald McDonald House called The Caring Place at Loyola, Inc. to be located at the Loyola/Veterans Administration medical complex. This not-for-profit organization would construct and operate the facility for the community.

The parties have selected a site for the facility on unused Veterans Administration land. The site is ideal in that it is near a day-care center and a multigenerational park. Hines' hospital officials and the Veterans Administration have agreed to make this site available. Further expansion of the Hines facility would take place at the other—north—end of Veterans Administration property. Permitting construction of "The Caring Place" on VA land would, in a sense, continue a tradition dating to the founding of the Loyola University Medical Center: It was constructed in its present location

at the invitation of the Veterans Administration, on land provided to Loyola by the Veterans Administration.

Mr. President, it is with pride that I introduce the following legislation to secure the site for "The Caring Place at Loyola, Inc." The Caring Place will provide a much-needed service for the Loyola-Hines medical community. It is always a source of pride when we see public, private, and not-for-profit entities join efforts in ventures such as this.●

By Mr. D'AMATO (for himself, Mr. PACKWOOD, Mr. RIEGLE, and Mr. LEVIN):

S. 678. A bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for amounts received under qualified group legal services plans; to the Committee on Finance.

LEGISLATION FOR GROUP LEGAL SERVICES

● Mr. D'AMATO. Mr. President, today I am introducing legislation to make permanent the employee exclusion for amounts received under qualified group legal services plans. My colleagues, Senators PACKWOOD, RIEGLE, and LEVIN, join me in introducing this measure, which will foster the availability of legal services for everyday Americans.

This bill amends section 120 of the Internal Revenue Code and is retroactive to taxable years ending after June 30, 1992. It provides that an employee does not have to pay income and employment taxes for a qualified group legal services plan provided by an employer. The annual premium is limited to \$70 per person. In order to qualify, a plan must fulfill certain requirements, including one that benefits may not discriminate in favor of highly compensated employees.

Tax exclusion of group legal services is not a new provision. Employees have been allowed to exclude such benefits from their gross income since 1976. Making this exemption permanent will be a positive and substantial step forward. Group legal services have provided valuable and necessary assistance to millions of Americans. With the growing complexity of today's world, the need of ordinary citizens for legal counsel has become greater. Be it a real estate transaction, preparation of a will, or a simple divorce, Americans are frequently confronted with problems of a legal nature, which makes access to a lawyer indispensable. Group legal services are a low-cost, effective source for legal counseling.

Mr. President, there is no reason why we should not make this tax exclusion a permanent part of the Tax Code. By making it permanent we remove the burden hanging over the legal service industry and clear up the uncertainty about legal service tax treatment that now troubles plan participants. Indeed,

certainty in this context is crucial. It is unfair to require providers and participants to guess whether Congress will extend the exclusion or not each time the provision is due to expire. Such unpredictability retards the growth of group legal services and hampers financial planning.

The Senate has repeatedly affirmed its commitment to assuring the availability of legal services. I urge my colleagues to join in our effort to clarify once and for all the tax treatment of employer-provided group legal services.●

By Mr. RIEGLE:

S. 679. A bill to extend and enhance the operation of the Super 301 provisions of the Trade Act of 1974, and for other purposes; to the Committee on Finance.

FAIR TRADE ASSURANCES ACT OF 1993

● Mr. RIEGLE. Mr. President, on February 4, I introduced the Manufacturing Revitalization Incentives Act of 1993 to encourage long-term investment and economic growth in the manufacturing sector. Today, I rise to introduce the Fair Trade Assurances Act of 1993 to complement this earlier bill.

I introduce the Fair Trade Assurances Act with a great sense of opportunity and hope. We now have a President who shares the beliefs of many of us in this Chamber—specifically, that vigorous use of our trade remedy laws and elimination of unfair trade practices by our competitors will help preserve and strengthen the U.S. industrial base. These shared beliefs lead me to the conclusion that we can break the deadlock and decline of the last 12 years. By taking the steps necessary to strengthen the critical sectors of our economy, we can prevent job losses due to unfair trade practices.

Trade is not an abstract issue, interesting only to academics, economists, and statisticians. Trade has a direct relationship to how many Americans have jobs, whether those jobs pay middle income wages, provide pensions and health care benefits, and whether the United States will regain its manufacturing strength.

The cumulative U.S. trade deficit since 1980 is more than \$1.1 trillion. The cumulative United States trade deficit with Japan alone is \$511 billion—that's more than half a trillion dollars. These deficits are not getting better. In 1992, the United States trade deficit with Japan was \$49 billion, up 14 percent from 1991. Moreover, the United States is developing massive trade deficits with countries with which we used to have either trade surpluses or balanced trade. For instance, in 1992, the United States trade deficit with China was \$18 billion, up 44 percent from 1991. Our cumulative trade deficit with China since 1986—just a 7-year period—is \$56 billion.

Whether calculated on an annual or cumulative basis, the trade deficit

translates into lost jobs. Over the last year there have been massive cutbacks in many large companies—GM, IBM, AT&T, and United Technologies, to name a few. The losses are often of well-paying jobs that provide health insurance and pension benefits—the kinds of jobs where workers earn enough to save money to buy a house and plan for their children's college education. Every day we are losing these jobs, not because we are uncompetitive, but because we are faced with unfair trade practices. And the previous administration did little to stop this.

We must act immediately to preserve our industrial base, which has been systematically eroded by the unfair trading practices of others. We cannot afford another decade like the 1980's, during which U.S. trade agreements and trade laws were not enforced, and unfair trade practices by our competitors were simply ignored. Ensuring fair trading practices was not a priority of the previous two administrations. Their neglect is in part responsible for the weaknesses in the economy we see today. As our new President says, it is time for a change. We must aggressively use the trade remedies available in current law, and toughen our trade posture to eliminate unfair trading practices.

The Fair Trade Assurances Act of 1993 will provide the trade tools needed to eliminate unfair trade practices. The bill permanently extends Super 301, which expired in June 1990. This provision of U.S. trade law, which I authored in 1988 along with Senator DANFORTH, requires the U.S. Trade Representative [USTR] to investigate and negotiate an end to foreign trade barriers. The Fair Trade Assurances Act strengthens Super 301 by requiring action against those countries which have a substantial trade surplus with the United States.

The Fair Trade Assurances Act focuses on unfair trade practices by a foreign country that contribute to our bilateral or sectoral trade deficit with that country. Under this bill, the U.S. Trade Representative would be required to deal with the sectors which make up the largest portion of our trade and current account deficits, and which continue to be severely devastated by persistent unfair trade practices and policies. The U.S. Trade Representative would be required to establish specific goals for achieving actual, substantial reductions in our overall, bilateral, or sectoral trade deficits with our trading partners.

Super 301 is also expanded by requiring the USTR to take action against unfair practices which threaten U.S. commerce. We must have the ability to address unfair trade practices before they become thoroughly entrenched and before they devastate U.S. industries. Too often our trade laws require

that we wait until an industry has been injured before we even consider taking action against our trading partners. The only real solution is to ensure that our industries are competing on a level playing field—not wait until the ball game is over before addressing what went wrong.

Finally, we must turn our attention to our long-term trade strategy. We can no longer afford the on-again/off-again enforcement of our trade remedy laws. We must assure our industries and our trading partners that the United States is serious about fair trade. The Fair Trade Assurances Act requires that we examine the trading environment on a regular basis. This bill requires the USTR to identify annually the foreign countries and practices that contribute to our trade and current account deficits.

Targets are needed to measure progress clearly. Where talk and negotiation have failed, this bill will achieve results. A vital step toward strengthening our manufacturing base is changing the rules of international trade to ensure our trade remedy laws are used aggressively to combat unfair trade practices.

I ask unanimous consent that the text of the Fair Trade Assurances Act be included in full following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 679

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Fair Trade Assurances Act of 1993".

(b) REFERENCE.—Whenever in this Act an amendment is expressed in terms of an amendment to a section, subsection, or other provision, the reference shall be considered to be made to a section, subsection, or other provision of the Trade Act of 1974.

SEC. 2. SPECIFICATION OF SECTORAL PRIORITY PRACTICES.

Section 181(a) (19 U.S.C. 2241) is amended—

(1) by striking out "and" at the end of paragraph (1)(B);

(2) by striking out the period at the end of paragraph (1)(C) and inserting "and"; and

(3) by inserting after paragraph (1)(C) the following:

"(D) identify, if for such calendar year the United States merchandise trade balance (excluding crude petroleum imports) was in deficit, each foreign country that—

"(i) accounted for not less than 15 percent of such deficit; and

"(ii) had a global current account surplus for such year in an amount not less than such deficit; and

"(E) specify each act, policy, or practice identified under subparagraph (A) that was implemented by a foreign country identified under subparagraph (D) with respect to any goods sector or service sector that accounted for not less than 10 percent of the merchandise trade and current account deficits between the United States and such foreign country during such calendar year.";

(4) by striking out "paragraph (1)," in paragraph (2) and inserting "paragraph (1) (A), (B), or (C)."; and

(5) by striking out "analysis and estimate" in paragraph (3) and inserting "analyses, estimates, identifications, and specifications".

SEC. 3. PERMANENT STATUS OF "SUPER 301" PROGRAM; APPLICATION OF PROGRAM TO SECTORAL PRIORITY PRACTICES.

(a) IN GENERAL.—Section 310(a) (19 U.S.C. 2420(a)) is amended—

(1) by striking out "calendar year 1989, and also the date in calendar year 1990," in paragraph (1) and inserting "any calendar year";

(2) by amending subparagraphs (A) and (B) of paragraph (1) to read as follows:

"(A) priority practices;

"(B) priority foreign countries;"; and

(3) by amending paragraphs (2) and (3) to read as follows:

"(2)(A) For purposes of this section, the term 'priority foreign country' means—

"(i) any foreign country identified under section 181(a)(1)(D); and

"(ii) any other foreign country that, on the basis of the report required under section 181, satisfies the criteria in subparagraph (B)."

"(B) In identifying priority foreign countries under subparagraph (A)(ii), the Trade Representative shall take into account—

"(i) the number and pervasiveness of the acts, policies, and practices described in section 181(a)(1)(A), and

"(ii) the level of United States exports of goods and services that would be reasonably expected from full implementation of existing trade agreements to which that foreign country is a party, based on the international competitive position and export potential of such products and services.

"(3)(A) For purposes of this section, the term 'priority practices' means—

"(i) acts, policies, and practices specified under section 181(a)(1)(E); and

"(ii) other major barriers and trade distorting practices, the elimination of which are likely to have the most significant potential to increase United States exports, either directly or through the establishment of a beneficial precedent.

"(B) In identifying priority practices under subparagraph (A)(ii) the Trade Representative shall take into account—

"(i) the international competitive position and export potential of United States products and services;

"(ii) circumstances in which the sale of a small quantity of a product or service may be more significant than its value.

"(iii) circumstances in which the practice has the effect of imposing a total or near total barrier to the importation of foreign goods or services, and

"(iv) the measurable medium-term and long-term implications of government procurement commitments to United States exporters."

(b) CONFORMING AMENDMENTS.—Section 310(d) is amended—

(1) by striking "in calendar year 1990, and on the anniversary of such date in the succeeding calendar years" in paragraph (1); and

(2) by striking "(a)(1)(A)" the first place it appears in paragraph (2) and inserting "(a)(1)(B)".

SEC. 4. ACTION TO ELIMINATE PRIORITY PRACTICES.

(a) MANDATORY ACTION.—

(1) IN GENERAL.—Section 301(a) (19 U.S.C. 2411(a)) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(B) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following new paragraph:

"(1)(A) If the United States Trade Representative determines under section 304(a)(1) that an act, policy, or practice identified under section 181(a)(1)(E)—

"(i) violates, or is inconsistent with, the provisions of, or otherwise denies benefits to the United States under any trade agreement; or

"(ii) is unjustifiable and burdens or restricts (or threatens to burden or restrict) United States commerce;

the response of the United States to such act, policy, or practice shall be undertaken in accordance with subparagraph (B).

"(B) If the Trade Representative makes a determination referred to in subparagraph (A), the President, within 30 days after the date of the determination—

"(i) shall direct the Trade Representative to implement the action recommended by the Trade Representative under section 304(a)(1)(B) to obtain the elimination of the act, policy, or practice; or

"(ii) shall, if the President considers that there is an alternative (hereafter referred to as the 'alternative plan') for obtaining the elimination of such act, policy, or practice and that the alternative plan is preferable to the action recommended by the Trade Representative, transmit to the Congress a document that meets the requirements in subparagraph (D).

"(C) An alternative plan submitted under subparagraph (B)(ii) shall provide, in the case of unsatisfactory progress by the priority foreign country in eliminating the priority practice, for the implementation, for such time as may be appropriate, by the President of a restriction, limitation, or other action that is reciprocal in scope and effect to such priority practice.

"(D) A document referred to in subparagraph (B)(ii) shall—

"(i) describe the action recommended by the Trade Representative under section 304(a)(1)(B) to eliminate the act, policy, or practice;

"(ii) describe the alternative plan in detail, including—

"(I) any reciprocal limitation, restriction, or action of the kind referred to in subparagraph (C) provided for under the plan; and

"(II) the period of time that will be required to implement fully the plan and the specific interim results that should be achieved under the plan from time-to-time during that period;

"(iii) describe the number of jobs to be created and the estimated increase in exports resulting from implementation of the plan;

"(iv) cite the legal authorities for taking the measures contemplated by the alternative plan;

"(v) contain, if the President considers that statutory authority is necessary for the implementation of any part of the alternative plan (including the implementation of any reciprocal limitation, restriction, or action described under clause (ii)), appropriate suggested legislative proposals; and

"(vi) state the reasons why the alternative plan is preferable to the taking of the action recommended by the Trade Representative.

"(E) If the President transmits an alternative plan to the Congress under subparagraph (B) and a joint resolution described in section 152(a)(1)(C) is not enacted within the 60-day period beginning on the date on which the alternative plan was transmitted, the alternative plan shall take effect and the President shall commence implementation of the plan.

"(F) If the President transmits an alternative plan to Congress under subparagraph

(B) and a joint resolution described in section 152(a)(1)(C) is enacted within the 60-day period beginning on the date on which the alternative plan was transmitted, the alternative plan shall not take effect and the President shall direct the Trade Representative to implement the action recommended by the Trade Representative under section 304(a)(1)(B) to obtain the elimination of the priority foreign practice."

(2) CONFORMING AMENDMENTS.—Subparagraph (B) of section 301(a)(2) (as redesignated by paragraph (1)(A)) is amended—

(A) by striking out "foreign country—" and inserting "foreign country (other than a foreign country to which section 181(a)(1)(E) applies)—"; and

(B) by inserting "(or threatens to burden or restrict)" after "restricts" in clause (ii).

(b) DISCRETIONARY ACTION.—Section 301(b)(1) is amended by inserting "(or threatens to burden or restrict)" after "restricts".

(c) DEFINITIONS.—Section 301(d) is amended by adding at the end the following new paragraph:

"(10) An act, policy, or practice threatens to burden or restrict United States commerce if the act, policy, or practice does not currently burden or restrict United States commerce, but, if not corrected, is reasonably expected to burden or restrict United States commerce."

SEC. 5. INITIATION OF INVESTIGATIONS UPON RESOLUTION OF CONGRESSIONAL COMMITTEES.

Section 302(b) is amended by adding at the end the following new paragraph:

"(3) Upon the adoption by either the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate of a resolution that—

"(A) describes an act, policy, or practice of the foreign country; and

"(B) states that it is the opinion of the Committee that such act, policy, or practice is an act, policy, or practice that is described in section 301(a)(1)(A) or (2)(B);

the Trade Representative shall initiate an investigation under this chapter to determine whether the matter is actionable under section 301."

SEC. 6. CONFORMING AMENDMENTS.

(a) ACTIONS BY UNITED STATES TRADE REPRESENTATIVE.—Section 301, as amended by section 104, is amended—

(1) by striking out that part of subsection (a)(3) (as redesignated by section 104(a)(1)(A)) that precedes subparagraph (A) and inserting "The President is not required to take action under paragraph (1)(B) (i) or (ii) and the Trade Representative is not required to take action under paragraph (2) in any case in which)";

(2) by striking out "paragraph (1)" in subsection (a)(4) (as redesignated by section 104(a)(1)(A)) and inserting "paragraph (1)(B)(i) or (F) or paragraph (2)"; and

(3) by striking out "subsection (a) or (b)" each place it appears in paragraphs (1), (2)(A), (3) and (5) of subsection (c) and inserting "paragraph (1)(B)(i), (1)(F), or (2) of subsection (a) or subsection (b)".

(b) DETERMINATIONS BY UNITED STATES TRADE REPRESENTATIVE.—Section 304(a)(1) (19 U.S.C. 2414(a)(1)) is amended—

(1) by striking out "(a)(1)(B) or" in subparagraph (A)(i) and inserting "(a)(1)(A) or (2)(B) or subsection"; and

(2) by striking out subparagraph (B) and inserting the following:

"(B) if the determination under subparagraph (A) is affirmative with respect to a practice described in section 301(a)(1)(A), determine, and submit to the President, a rec-

ommendation for action by the Trade Representative under section 301(c) to obtain the elimination of such practice; or

"(C) if the determination under subparagraph (A) (other than with respect to an action described in section 301(a)(1)(A)) is affirmative, determine what action, if any, the Trade Representative should take under subsection (a)(2) or (b) of section 301."

(c) IMPLEMENTATION OF ACTIONS.—Section 305 (19 U.S.C. 2414) is amended—

(1) by amending paragraph (1) of subsection (a) to read as follows:

"(1) Except as provided in paragraph (2), the Trade Representative shall—

"(A) implement the action directed by the President under subparagraph (B)(i) or (F) of section 301(a)(1) by no later than the date that is 30 days after the date such direction is received; and

"(B) implement the action the Trade Representative determines under section 304(a)(1)(C) to take under section 301, subject to the specific direction, if any, of the President regarding any such action, by no later than the date which is 30 days after the date on which such determination is made."

(2) by striking out "section 301" in subsection (1)(B)(A) and inserting "paragraph (1)(B), (1)(F), or (2) of section 301(a) or section 301(b)";

(3) by inserting "or (3)" after "301(b)(1)" in subsection (a)(2)(A)(i)(II); and

(4) by striking out "section 301(b)".

(d) MONITORING OF FOREIGN COMPLIANCE.—Section 306(a) (19 U.S.C. 2416(a)) is amended—

(1) by striking out "section 301(a)(2)(B)" and inserting "section 301(a)(3)(B)"; and

(2) by striking out "subsection (a)(1)(B)" and inserting "subsection (a)(1)(A) or (2)(B)".

(e) MODIFICATION AND TERMINATION OF ACTIONS.—Section 307(a)(1)(A) (19 U.S.C. 2417(a)(1)(A)) is amended by striking out "301(a)(2)" and inserting "301(a)(3)".

(f) RESOLUTIONS DISAPPROVING CERTAIN ACTIONS.—Section 152(a)(1) (19 U.S.C. 2192(a)(1)) is amended—

(1) by striking out "and" at the end of subparagraph (A);

(2) by striking out the period at the end of subparagraph (B) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(C) a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the Congress does not approve the alternative plan transmitted under section 301(a)(1)(B)(ii) of the Trade Act of 1974 to the Congress on . . . the blank space being filled with the appropriate date.'"

(g) SPECIAL RULES RELATING TO CONGRESSIONAL PROCEDURES.—Section 154 is amended—

(1) by inserting "301(a)(1)(B)(ii)," after "204(b)," in subsection (a); and

(2) by inserting "and for purposes of section 301(a)(1) (E) and (F), the 60-day period referred to in such section," after "such sections" in subsection (b).•

By Mr. ROTH:

S.J. Res. 75. A joint resolution designating January 2, 1994, through January 8, 1994, as "National Law Enforcement Training Week"; to the Committee on the Judiciary.

NATIONAL LAW ENFORCEMENT TRAINING WEEK

• Mr. ROTH. Mr. President, I am pleased to introduce today, along with my colleague from Delaware, Senator BIDEN, a joint resolution to designate January 2, 1994, through January 8,

1994, as "National Law Enforcement Training Week."

The law enforcement personnel of the Nation, at all levels, deserve and must have the best available training for their increasingly difficult jobs. We all know that the mission of those dedicated to training our law enforcement personnel is becoming increasingly important. Not only is crime on the rise, but the criminal of today is more violent and more sophisticated than ever before.

Law enforcement training is necessary to protect the lives of the people who are on the front lines of our country's fight against crime. At the same time, effective law enforcement training gives law enforcement personnel the skills necessary to better protect our citizens. Our communities deserve the best trained law enforcement personnel that we can put into the field.

National Law Enforcement Training Week recognize the efforts and contributions of those persons dedicated to assuring that the law enforcement personnel of this country are trained to win the fight against crime and to protect our citizens.

I urge my colleagues to show their support by cosponsoring National Law Enforcement Training Week.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution ordered to be printed in the RECORD, as follows:

S.J. RES. 75

Whereas law enforcement training and the sciences related to law enforcement are critical to the immediate and long-term safety and well-being of this Nation because law enforcement professionals provide service and protection to citizens in all sectors of society;

Whereas law enforcement training is a critical component of national efforts to protect the citizens of this Nation from violent crime, to combat the malignancy of illicit drugs, and to apprehend criminals who commit personal, property, and business crimes;

Whereas law enforcement training serves the hard working and law abiding citizens of this Nation;

Whereas it is essential that the citizens of this Nation be able to enjoy an inherent right of freedom from fear and learn of the significant contributions that law enforcement trainers have made to assure such right;

Whereas it is vital to build and maintain a highly trained and motivated law enforcement work force that is educated and trained in the skills of law enforcement and the sciences related to law enforcement in order to take advantage of the opportunities that law enforcement provides;

Whereas it is in the national interest to stimulate and encourage the youth of this Nation to understand the significance of law enforcement training in the law enforcement profession and to the safety and security of all citizens;

Whereas it is in the national interest to encourage the youth of this Nation to appreciate the intellectual fascination of law enforcement training; and

Whereas it is in the national interest to make the youth of this Nation aware of career options available in law enforcement and disciplines related to law enforcement: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That January 2, 1994, through January 8, 1994, is designated as "National Law Enforcement Training Week".•

ADDITIONAL COSPONSORS

S. 3

At the request of Mr. BOREN, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 3, a bill entitled the "Congressional Spending Limit and Election Reform Act of 1993."

S. 15

At the request of Mr. ROTH, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 15, a bill to establish a Commission on Government Reform.

S. 20

At the request of Mr. ROTH, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 20, a bill to provide for the establishment, testing, and evaluation of strategic planning and performance measurement in the Federal Government, and for other purposes.

S. 216

At the request of Mr. D'AMATO, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 216, a bill to provide for the minting of coins to commemorate the World University Games.

S. 253

At the request of Mr. CRAIG, the names of the Senator from Utah [Mr. HATCH] and the Senator from Louisiana [Mr. BREAU], were added as cosponsors of S. 253, a bill to authorize the garnishment of Federal employees' pay, and for other purposes.

S. 265

At the request of Mr. MACK, the names of the Senator from Mississippi [Mr. LOTT], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. MCCONNELL], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 265, a bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes.

S. 266

At the request of Mr. SIMON, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 266, a bill to provide for elementary and secondary school library media resources, technology enhancement, training and improvement.

S. 321

At the request of Mr. DECONCINI, the name of the Senator from Hawaii [Mr.

INOUE] was added as a cosponsor of S. 321, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for employers who provide on-site day-care facilities for dependents of their employees, and for other purposes.

S. 342

At the request of Mr. BOREN, the names of the Senator from Louisiana [Mr. BREAU] and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of S. 342, a bill to amend the Internal Revenue Code of 1986 to encourage investment in real estate and for other purposes.

S. 430

At the request of Mr. MACK, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 430, a bill to require a 60-vote supermajority in the Senate to pass any bill increasing taxes.

S. 446

At the request of Mr. ROTH, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 446, a bill to extend until January 1, 1996, the existing suspension of duty on tamoxifen citrate.

S. 499

At the request of Mr. LOTT, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 499, a bill to amend title 18, United States Code, to provide mandatory life imprisonment for persons convicted of a third violent felony.

S. 503

At the request of Mr. D'AMATO, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 503, a bill to amend the Immigration and Nationality Act to provide that members of Hamas (commonly known as the Islamic Resistance Movement) be considered to be engaged in a terrorist activity and ineligible to receive visas and excluded from admission into the United States.

S. 542

At the request of Mr. PRYOR, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 542, a bill to amend the Internal Revenue Code of 1986 to provide additional safeguards to protect taxpayer rights.

S. 573

At the request of Mr. BREAU, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 573, a bill to amend the Internal Revenue Code of 1986 to provide for a credit for the portion of employer social security taxes paid with respect to employee cash tips.

S. 578

At the request of Mr. KENNEDY, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 578, a bill to protect the free exercise of religion.

S. 598

At the request of Mr. DURENBERGER, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 598, a bill to amend the National Labor Relations Act to provide for expedited adjudication of unfair labor practice charges, and for other purposes.

S. 655

At the request of Mr. LIEBERMAN, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 655, a bill to provide for the transfer of funds from the Harbor Maintenance Trust Fund to support nautical charting and marine navigational safety programs, and other activities of the National Oceanic and Atmospheric Administration related to commercial navigation, and for other purposes.

SENATE JOINT RESOLUTION 39

At the request of Mr. D'AMATO, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of Senate Joint Resolution 39, a joint resolution designating the weeks beginning May 23, 1993, and May 15, 1994, as Emergency Medical Services Week.

SENATE JOINT RESOLUTION 41

At the request of Mr. SIMON, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of Senate Joint Resolution 41, a joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget.

SENATE JOINT RESOLUTION 60

At the request of Mr. BYRD, the names of the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Alaska [Mr. STEVENS], the Senator from Ohio [Mr. METZENBAUM], the Senator from Washington [Mrs. MURRAY], the Senator from Mississippi [Mr. COCHRAN], the Senator from Alabama [Mr. HEFLIN], the Senator from Hawaii [Mr. INOUE], the Senator from New York [Mr. D'AMATO], the Senator from Indiana [Mr. COATS], the Senator from Utah [Mr. HATCH], the Senator from Ohio [Mr. GLENN], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Joint Resolution 60, a joint resolution to designate the months of May 1993 and May 1994 as "National Trauma Awareness Month."

SENATE CONCURRENT RESOLUTION 9

At the request of Mr. EXON, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of Senate Concurrent Resolution 9, a concurrent resolution urging the President to negotiate a comprehensive nuclear weapons test ban.

SENATE RESOLUTION 68

At the request of Mr. D'AMATO, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of Senate Resolution 68, a resolution urging the President of the United States to seek an international oil em-

bargo through the United Nations against Libya because of its refusal to comply with United Nations Security Council Resolutions 731 and 748 concerning the bombing of Pan Am Flight 103.

AMENDMENT NO. 279

At the request of Mr. FAIRCLOTH his name was added as a cosponsor of amendment No. 279 proposed to H.R. 1335, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes.

SENATE CONCURRENT RESOLUTION 21—RELATIVE TO DOMESTIC VIOLENCE AND BATTERED WOMEN

Ms. MOSELEY-BRAUN (for herself and Mr. HATCH) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 21

Whereas State criminal courts often fail to admit expert testimony offered by a defendant concerning the nature and effect of physical, sexual, and mental abuse to assist the trier of fact in assessing the behavior, beliefs, or perceptions of such defendant in a domestic relationship in which abuse has occurred;

Whereas the average juror often has little understanding of the nature and effect of domestic violence on the behavior, beliefs, or perceptions of such a defendant, and the lack of understanding can result in the juror blaming the woman for the victimization of the woman;

Whereas the average juror is often unaware that victims of domestic violence are frequently in greater danger of violence after the victims terminate or attempt to terminate domestic relationships with their abusers;

Whereas myths, misconceptions, and victim-blaming attitudes are often held out only by the average layperson but also by many in the criminal justice system, insofar as the criminal justice system traditionally has failed to protect women from violence at the hands of men;

Whereas specialized knowledge of the nature and effect of domestic violence is sufficiently established to have gained the general acceptance that is required for the admissibility of expert testimony;

Whereas although both men and women can be victims of physical, sexual, and mental abuse by their partners in domestic relationships, the most frequent victims are women; and

Whereas a woman is more likely to be assaulted and injured, raped, or killed by the current or former male partner of the woman than by any other type of assailant, and over one-half of all women murdered are killed by their current or former male partners: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring). That it is the sense of Congress that—

(1) expert testimony concerning the nature and effect of domestic violence, including descriptions of the experiences of battered women, should be admissible if offered in a State court by a defendant in a criminal case to assist the trier of fact in understanding

the behavior, beliefs, or perceptions of such defendant in a domestic relationship in which abuse has occurred;

(2) a witness should be qualified to testify as an expert witness, with respect to a case in which abuse has occurred, based upon the knowledge, skill, experience, training, or education of the witness, and should be permitted to testify in the form of an opinion or otherwise; and

(3) domestic relationships about which such expert testimony should be admissible include relationships between spouses, former spouses, cohabitants, former cohabitants, partners, or former partners, and between persons who are in, or have been in, a dating, courtship, or intimate relationship.

Ms. MOSELEY-BRAUN. Mr. President, I am here today to talk about an issue which until very recently was ignored by the press, the medical community, and the criminal justice system. I am speaking about the battered woman's syndrome and its sometimes fatal consequences. Women who are regularly beaten by their husbands or boyfriends often exhibit behavior that does not fit the general definition of "normal". When women are involved in an abusive relationship over a period of time, physical and psychological deterioration can result. Many women come to believe that they are deserving of their mate's treatment. They end up believing the apologies of their abuser and the endless assertions that the abuse will end. Their lives are an emotional rollercoaster—abuse may happen at any moment.

The National Clearinghouse of the Defense of Battered Women estimates that there is a domestic violence-related assault reported every 15 seconds. The clearinghouse also reports that every year 860 women kill men who have abused them—between 75 and 90 percent kill in self defense. Some believe that domestic violence only affects the poor and uneducated. In reality domestic violence knows no boundaries. Its victims, as its perpetrators, include all races, ages, and socioeconomic levels.

Most women who kill their abuser have tried desperately to leave, but in many instances their abusers won't let them go. There have been countless stories of women being locked in, deprived of cash, telephones, car keys, or their lives being threatened, and of being physically forced to return to an abusive situation.

To illustrate what can happen to a person who has been repeatedly physically and psychologically abused, I offer a story, which is unfortunately not at all atypical.

A woman, let's call her Sara, is taken into custody. Her husband to the morgue. Earlier that evening they had had a big fight. The police were called by a neighbor, and although Sara had been beaten badly she declined to press charges. Several nights later while he is sleeping, however, she calmly loaded her husband's 357 magnum and shot him dead. In the ensuing trial Sara is

sentenced to 15 years for killing her husband even though she had been a victim of abuse for several years.

The jury was not permitted to hear testimony on the history of abuse, however, because Sara lives in one of 41 States that do not, by statute, allow the jury to hear evidence of a history of abuse. It is time that we ensure that juries hear the whole story, and make their decisions based on all of the facts.

For these reasons, I am introducing a resolution that encourages States to allow battered women on trial in criminal cases to not only present evidence of past abuse, but also have expert witnesses testify about the battered woman's syndrome.

After hearing chilling tales of abuse over prolonged periods many ask "Why didn't she just walk away?". I think the Nation is just beginning to understand the dimensions of domestic violence and its terrible implications. This has been evidenced by actions by the Governors of Ohio, Maryland, Massachusetts, and Missouri who have granted clemency to several battered women imprisoned for killing their abusers.

In addition, nine States now by statute allow juries to hear a battered woman's history. Several other State legislatures are considering similar laws. This is a good start, but it is insufficient given the scope and extent of the problem. Too many States have not acted, thus leaving it up to the individual judge to decide on a case-by-case basis whether information on a history of battering will be admissible. We must exert leadership on the national level, and we must do it now.

This resolution does not seek to circumvent the jury process nor does it substitute Federal for State law. It does encourage States to allow battered women to introduce evidence of their abuse and its psychological effects as part of their claims of self-defense.

Sara could be your daughter or a friend. Domestic violence causes untold suffering. The stories that we hear so often are simply horrifying. Rather than reacting with shock and horror to each isolated case we must be proactive and seek solutions to the broader problem. This resolution will help to assure that our legal system ensures that all battered women receive a fair trial.

I urge my Senate colleagues to consider this resolution carefully and support it wholeheartedly.

SENATE RESOLUTION 84—RELATIVE TO THE ALBERT EINSTEIN CONGRESSIONAL FELLOW-SHIP PROGRAM

Mr. FORD (for Mr. HATFIELD, for himself and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to

S. RES. 84

Resolved,

SECTION 1. TECHNICAL AMENDMENT.

Senate Resolution 239 of the One Hundred Second Congress (agreed to on November 27, 1991) is amended in section 4(e)(2) by striking "at not to" and all that follows through "6(a)".

AMENDMENTS SUBMITTED

EMERGENCY SUPPLEMENTAL
APPROPRIATIONS

BYRD AMENDMENT NO. 281

Mr. BYRD proposed an amendment to the bill (H.R. 1335) making emergency supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes, as follows:

Page 58, after line 26, insert the following:

SEC. . (a) Notwithstanding any other provision of law, for this Act, the Office of Management and Budget shall administer the obligation of all funds appropriated or otherwise made available by this Act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious programs, projects or activities are approved. The Director of the Office of Management and Budget shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the intent of this section.

(b) Subsection (a) shall become effective two days after enactment of this Act.

BYRD AMENDMENT NO. 282

Mr. BYRD proposed an amendment to amendment No. 281 proposed by Mr. BYRD to the bill H.R. 1335; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . Notwithstanding any other provision of law, for this Act, the Office of Management and Budget shall administer the obligation of all funds appropriated or otherwise made available by this Act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious programs, projects or activities are approved. The Director of the Office of Management and Budget shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the intent of this section.

BYRD AMENDMENT NO. 283

Mr. BYRD, on behalf of the Committee on Appropriations, proposed an amendment to the bill, H.R. 1335, supra, as follows:

Strike all after the enacting clause and insert in lieu:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes, namely:

TITLE I—EMERGENCY SUPPLEMENTAL
APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE, RURAL
DEVELOPMENT, FOOD AND DRUG AD-
MINISTRATION, AND RELATED AGENCIESDEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and facilities", \$37,569,000, to remain available until the end of fiscal year 1993.

FOOD SAFETY AND INSPECTION SERVICE
SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$4,000,000.

SOIL CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS
For an additional amount for "Watershed and flood prevention operations", \$46,961,000 for the costs of emergency watershed protection operations and for small watershed operations, to remain available until the end of fiscal year 1993.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM
ACCOUNT

For an additional amount for the "Rural housing insurance fund program account", for the costs of very low-income housing repair direct loans, \$1,124,000 to subsidize additional gross obligations for the principal amount of loans not to exceed \$2,818,000; and in addition, \$4,297,000 for the cost of guaranteed unsubsidized section 502 loans, for total loan principal not to exceed \$234,805,000.

RURAL DEVELOPMENT ADMINISTRATION

RURAL DEVELOPMENT INSURANCE FUND PROGRAM
ACCOUNT

For an additional amount for the "Rural development insurance fund program account", for the costs of water and sewer direct loans, \$66,821,000, to subsidize additional gross obligations for the principal amount of direct loans not to exceed \$470,000,000.

RURAL WATER AND WASTE DISPOSAL GRANTS

For an additional amount for "Rural water and waste disposal grants", \$281,767,000, to remain available until the end of fiscal year 1993.

FARMERS HOME ADMINISTRATION

VERY LOW-INCOME HOUSING REPAIR GRANTS

For an additional amount for "Very low-income housing repair grants", \$5,635,000, to remain available until the end of fiscal year 1993.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

For an additional amount for "Child nutrition programs" for the Child and Adult Care Food Program, \$56,000,000, to remain available through September 30, 1994.

SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR
WOMEN, INFANTS, AND CHILDREN (WIC)

For an additional amount for the special supplemental food program, \$75,000,000, to remain available through September 30, 1994: Provided, That these funds shall be available for grants to States that maintain the standards for eligibility which were in use on January 1, 1993: Provided further, That the Secretary may waive regulations governing allocations as necessary to ensure funds are received by States most in need and able to spend additional funds.

THE EMERGENCY FOOD ASSISTANCE PROGRAM
(TEFAP)

For an additional amount for "The emergency food assistance program", \$23,481,000: Provided, That notwithstanding section 214(h) of the Emergency Food Assistance Act of 1983, as amended, commodities purchased with these funds may be delivered to States through December 31, 1993.

CHAPTER II

DEPARTMENTS OF COMMERCE, JUSTICE,
AND STATE, THE JUDICIARY, AND RE-
LATED AGENCIES

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for "Economic development assistance programs", \$93,922,000.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For an additional amount for "Minority business development", \$1,878,000 for program management.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, research, and facilities", \$80,773,000, to remain available until expended.

NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGYSCIENTIFIC AND TECHNICAL RESEARCH AND
SERVICES

For an additional amount for "Scientific and technical research and services", \$14,088,000, to remain available until expended, of which not to exceed \$3,613,000 may be transferred to the "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

For an additional amount for "Industrial technology services", \$103,315,000, to remain available until expended, of which not to exceed \$1,400,000 may be transferred to the "Working Capital Fund".

NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATIONPUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING, AND CONSTRUCTION

For an additional amount for "Public telecommunications facilities, planning, and construction", \$63,867,000, to remain available until expended, of which not to exceed \$2,818,000 shall be available for program administration as authorized by section 391 of the Communications Act of 1934, as amended.

RELATED AGENCIES

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$8,829,000.

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

For an additional amount for "Business loans program account" for the cost of guaranteed loans authorized by section 7(a) of the Small Business Act, \$140,883,000, to remain available until expended: Provided, That up to \$2,000,000 of this amount may be made available for administrative expenses of the guaranteed loans program and may be transferred to and merged with appropriations made available under Public Law 102-395 for "Salaries and expenses", Small Business Administration.

CHAPTER IV

DISTRICT OF COLUMBIA

FEDERAL PAYMENT TO THE DISTRICT OF
COLUMBIA

For an additional amount for "Federal payment to the District of Columbia" to provide for essential jobs, public safety, health, and other municipal services in the face of its financial crisis, \$28,177,000, to remain available until September 30, 1993.

CHAPTER V

ENERGY AND WATER DEVELOPMENT
DEPARTMENT OF DEFENSE—CIVIL
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS—CIVIL
CONSTRUCTION, GENERAL

For an additional amount for "Construction, general", \$3,900,000, to remain available through September 30, 1993, of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterway Trust Fund, for one-half of the cost of construction and rehabilitation of inland waterways projects.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for "Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee", \$13,525,000, to remain available through September 30, 1993.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and maintenance, general", \$76,497,000, to remain available through September 30, 1993, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund.

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH, AND DEVELOPMENT
ACTIVITIES

For an additional amount for "Energy supply, research, and development activities", \$46,961,000, to remain available until September 30, 1993.

For an additional amount for "Energy supply, research and development activities", \$939,000, to remain available until expended for additional in-house energy management projects.

CHAPTER VI

DEPARTMENT OF THE INTERIOR AND
RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for "Management of lands and resources", \$1,878,000, to remain available until September 30, 1993.

OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for "Oregon and California grant lands", \$15,027,547, to remain available until September 30, 1993.

UNITED STATES FISH AND WILDLIFE SERVICE
RESOURCE MANAGEMENT

For an additional amount for "Resource management", \$87,348,000, to remain available through September 30, 1993.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for "Operation of the national park system", \$146,519,000.

NATIONAL RECREATION AND PRESERVATION

For an additional amount for "National recreation and preservation", \$1,409,000, to remain available until September 30, 1993.

HISTORIC PRESERVATION FUND

For an additional amount for "Historic preservation fund", \$22,072,000, to remain available until September 30, 1993, of which \$9,600,000 shall be for the National Trust for Historic Preservation: Provided, That any matching fund requirements in the National Historic Preservation Act Amendments shall not apply to this amount.

CONSTRUCTION

For an additional amount for "Construction", \$83,591,000, to remain available until September 30, 1993.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for "Operation of Indian programs", \$92,044,000, of which \$26,257,000 for school operations shall become available for obligation on July 1, 1993 and remain available for obligation until September 30, 1994; and \$65,787,000 shall remain available until September 30, 1993.

CONSTRUCTION

For an additional amount for "Construction", \$10,332,000, to remain available until September 30, 1993.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for "National forest system", to be used for maintenance, repairs, rehabilitation, and natural resource conservation activities, \$150,000,000, to remain available for obligation until the end of fiscal year 1993.

CONSTRUCTION

For an additional amount for "Construction", to be used for recreation facility and trail construction, \$37,844,000, to remain available for obligation until the end of fiscal year 1993.

DEPARTMENT OF ENERGY

ENERGY CONSERVATION

For enhanced "Energy conservation" activities, \$100,778,000, to remain available until expended, of which \$28,177,000 shall be for implementation of titles III, IV, and V of the Energy Policy Act of 1992 (Public Law 102-486), including no less than \$25,677,000 for the acquisition of alternative-fuel vehicles for the Federal fleet and for the conversion of existing vehicles in the Federal fleet to alternative fuels: Provided, That such funds shall only be used to pay the cost differential between the alternative-fuel vehicle and the same model of vehicle in its conventional-fuel design, not to exceed \$3,500 for any vehicle; and of which \$18,784,000 shall be for full funding for a one-time special award of grants under the Institutional Conservation Program; and of which \$46,961,000 shall be for grants to States for the Weatherization Assistance Program; and of which \$5,635,000 shall be available to the Federal Energy Management Program for expanded training, site audit, and other support functions; and of which \$1,221,000 shall be available to establish a fund administered by the Federal Energy Management Program to provide financial assistance for cost-effective energy efficiency improvements to facilities of any Federal agencies other than the Departments of Defense, Energy, and Veterans Affairs, and the General Services Administration.

CHAPTER VII

DEPARTMENTS OF LABOR, HEALTH AND
HUMAN SERVICES, EDUCATION, AND
RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for "Training and Employment Services", \$1,000,000,000, to carry into effect the Job Training Partnership Act, of which \$10,500,000 is for activities under part D of title IV of such Act, and \$989,500,000 for activities under part B of title II of such Act: Provided, That of the funds provided herein for part B of title II, 30 percent shall be for academic enrichment, as defined by the Secretary: Provided further, That funds used for academic enrichment shall not be used to supplant other Federal funds for existing academic services or activities, and services shall be maintained at least at the level of funding used for these purposes during the summer of 1992: Provided further, That of the funds provided herein for part

B of title II, except for the 30 percent expressly used for academic enrichment activities, service delivery areas may transfer up to 10 percent to the program under part C of title II of the Act, if such transfer is approved by the Governor: Provided further, That up to 3 percent of each State's allotment used for academic enrichment, at the State's discretion, may be reserved for State administration, oversight, and support of a State practitioner's network.

Funds provided in Public Law 102-394 for part B of title III of such Act shall be available for obligation upon enactment of this Act.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER
AMERICANS

For an additional amount for "Community service employment for older Americans", \$32,131,000, of which \$25,062,000 is for national grants or contracts with public agencies and public or private nonprofit organizations under section 506(a)(1)(A) of the Older Americans Act of 1965, as amended; and of which \$7,069,000 is for grants to States under section 506(a)(3) of said Act.

STATE UNEMPLOYMENT INSURANCE AND
EMPLOYMENT SERVICE OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "State unemployment insurance and employment service operations", \$14,300,000, to remain available until expended, which shall be expended from the Employment Security Administration account in the Unemployment Trust Fund, to fund worker profiling activities and for oversight of employment programs: Provided, That of the funds provided herein up to \$2,700,000 may be transferred to the Program Administration account.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND
AND OTHER FUNDS

For an additional amount for "Advances to the unemployment trust fund and other funds", \$4,000,000,000, to remain available until September 30, 1994.

DEPARTMENT OF HEALTH AND HUMAN
SERVICESHEALTH RESOURCES AND SERVICES
ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For an additional amount to carry out title XXVI of the Public Health Service Act, \$200,000,000.

NATIONAL INSTITUTES OF HEALTH

NATIONAL LIBRARY OF MEDICINE

For an additional amount to carry out section 301 and title IV of the Public Health Service Act with respect to high-performance computing applications, \$9,392,000.

ASSISTANT SECRETARY FOR HEALTH

OFFICE OF THE ASSISTANT SECRETARY FOR
HEALTH

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Office of the Assistant Secretary for Health" for carrying out childhood immunization activities under title III and subtitle 1 of title XXI of the Public Health Service Act, \$300,000,000, of which \$282,800,000 shall be transferred to the Centers for Disease Control and Prevention, of which \$4,200,000 shall be transferred to the National Institute of Allergy and Infectious Diseases, and of which \$7,000,000 shall be transferred to the Food and Drug Administration.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO THE SOCIAL SECURITY TRUST FUNDS

For an additional amount for "Payments to the Social Security Trust Funds" to reimburse the trust funds for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986, \$10,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME

For an additional amount for "Supplemental security income" for payment to the Social Security trust funds for administrative expenses, \$150,000,000; and, in addition, to provide for making, after June 15 of the current fiscal year, benefits payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

LIMITATION ON ADMINISTRATIVE EXPENSES

For an additional amount, \$302,000,000, of which \$142,000,000 shall be derived from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund; and of which \$10,000,000, to remain available until expended, shall be to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986.

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for carrying out the Head Start Act, \$500,000,000.

DEPARTMENT OF EDUCATION

COMPENSATORY EDUCATION FOR THE DISADVANTAGED

For an additional amount for concentration grants under section 1006 of the Elementary and Secondary Education Act of 1965, \$500,000,000, which shall become available upon enactment and shall remain available to local educational agencies through September 30, 1993: Provided, That the number of children counted for section 1006(a) shall be the same as counted for 1993 section 1005 basic grants: Provided further, That no State shall receive less than \$250,000 of such funds: Provided further, That such funds shall only be made available by State educational agencies to local educational agencies upon assurance that at least 80 per centum of such funds shall be liquidated by such agencies by September 30, 1993: Provided further, That such funds shall be used for activities that benefit educationally deprived children as authorized under section 1011 and other related activities such as food services, school health services, arts education, and transportation, without regard to whether such activities are otherwise authorized under such section: Provided further, That a State educational agency may reallocate any portion of such funds that are not able to be used by local educational agencies in the State to other such agencies on the basis of their relative needs, as determined by the State educational agency, without regard to section 1403(b)(2) of such Act: Provided further, That such funds may be used only to supplement, and not to supplant any other funds, including other funds made available under chapter 1 of title I of such Act or under any other Federal program: Provided further, That such funds, and the activities carried out with such funds, shall not be subject to or considered in applying section 1006(a)(1)(B)-(D), 1019, 1020, 1021, or 1432(b) of such Act or to section 412(b) of the General Education Provisions Act: Provided further, That such funds shall not be treated as funds appropriated, allocated, or received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for the purpose of section 1403, 1404, 1405, or 1432(b)(1) of such Act: Provided further, That such funds shall not be taken into account for purposes of determining the allocation of funds for any fiscal year under any Federal program.

For an additional amount for grants to the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, to carry out subpart 1 of part A of chapter 1 of title I of the Elementary and Secondary Education Act of 1965, \$234,805,000, which shall be allocated to such jurisdictions, notwithstanding any other provision of law, so that all counties that, under title III

of Public Law 102-394, are allocated less than 92 per centum of the amount they were allocated under such support for fiscal year 1992 shall be allocated, under Public Law 102-394 plus this additional amount, 92 per centum of the amount such counties received under such support for fiscal year 1992: Provided, That such allocations to States shall be ratably reduced if necessary: Provided further, That each State shall distribute its portion of such funds to local educational agencies in the State so that all such agencies that, under title III of Public Law 102-394, are receiving less than 92 per centum of the amount they received under such support for fiscal year 1992 shall receive, under Public Law 102-394 plus this additional amount, an amount not to exceed 92 per centum of such fiscal year 1992 amount, which percentage shall be ratably reduced as necessary: Provided further, That such funds shall not be treated as funds appropriated, allocated, or received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for the purposes of sections 1403, 1404, and 1405 of such Act: Provided further, That such funds shall not be taken into account for purposes of determining the allocation of funds for any fiscal year under any Federal program.

STUDENT FINANCIAL ASSISTANCE

For an additional amount for "Student financial assistance" for payment of awards made under subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended, \$1,863,730,000, which shall be available through September 30, 1994, of which \$493,000,000 shall be available for such awards made for award year 1993-1994, and \$1,370,730,000 shall be available for such awards for the 1992-1993 and prior award years.

CHAPTER VIII

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

The language under this heading in the Department of Transportation and Related Agencies Appropriations Act, 1993, is amended by—

- (a) deleting "\$2,000,000,000" and inserting in lieu thereof "\$2,250,000,000"; and
- (b) deleting "\$1,800,000,000" and inserting in lieu thereof "\$2,050,000,000";

Provided, That the increase in commitment authority made available by this Act shall be credited entirely to the discretionary fund established by section 507(c)(1) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2206(c)(1)), without regard to apportionment under sections 507(a) and 507(b) of such Act (49 U.S.C. App. 2206(a) and 2206(b)), or minimum distributions required by sections 507(c)(2) through 507(c)(4) and 508(d) of such Act (49 U.S.C. App. 2206(c)(2)-2206(c)(4) and 2207(d)).

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The language under this heading in the Department of Transportation and Related Agencies Appropriations Act, 1993, is amended by deleting "\$15,326,750,000" and inserting "\$18,303,000,000": Provided, That section 310(c) of said Act is amended by renumbering existing subsection (2) as subsection (2)(B) and by adding a new subsection (2)(A) as follows:

"(2)(A) ninety days after distribution of any increase in the fiscal year 1993 obligation limitation, as enacted October 6, 1992, revise the distribution of such increased funds under subsection (a) if a State has not obligated and re-

ceived bids on projects for the increased amount distributed, and redistribute amounts to all States able to obligate amounts on projects for which bids can be received no later than August 1, 1993;"

FEDERAL RAILROAD ADMINISTRATION
GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for "Grants to the National Railroad Passenger Corporation", for capital improvements grants, \$187,844,000, to remain available until September 30, 1993.

FEDERAL TRANSIT ADMINISTRATION

FORMULA GRANTS

For an additional amount for "Formula grants" for capital grants, \$466,490,000, to remain available until September 30, 1993, of which \$17,423,000 shall be apportioned under section 16, \$26,420,000 under section 18, and \$422,647,000 under section 9 of the Federal Transit Act, as amended: Provided, That, if any such funds are not obligated within 90 days of enactment of this Act, such funds shall be allocated for any eligible capital project under such Act, at the discretion of the Secretary.

The language under this heading in the Department of Transportation and Related Agencies Appropriations Act, 1993, is amended by deleting "\$1,700,000,000" and inserting in lieu thereof "\$2,182,340,000".

TRUST FUND SHARE OF TRANSIT PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The language under this heading in the Department of Transportation and Related Agencies Appropriations Act, 1993, is amended by deleting "\$1,134,150,000" and inserting "\$1,150,000,000" and by deleting "\$1,049,025,000" and inserting "\$1,064,875,000": Provided, That these additional funds shall be apportioned under section 9 of the Federal Transit Act, as amended: Provided further, That if any such funds are not obligated within 90 days of enactment of this Act, such funds shall be allocated for any eligible capital project under the Federal Transit Act, at the discretion of the Secretary.

DISCRETIONARY GRANTS

For an additional amount for "Discretionary grants", \$270,000,000, to remain available until September 30, 1993: Provided, That none of the funds may be available for grants under section 3(k)(1)(A) or section 3(k)(1)(B) of the Federal Transit Act, as amended.

CHAPTER IX

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

DEPARTMENT OF THE TREASURY

INTERNAL REVENUE SERVICE

INFORMATION SYSTEMS

For an additional amount for "Information systems", \$43,600,000, to fund procurement of computer and telecommunications equipment and services.

CHAPTER X

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For an additional amount for "Medical care", \$201,933,000, for nonrecurring maintenance projects in Department of Veterans Affairs' health care facilities.

For an additional amount for "Medical care", \$751,000, to remain available until expended, for additional projects to improve energy efficiency at Department of Veterans Affairs facilities.

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MINOR PROJECTS

For an additional amount for "Construction, minor projects", \$32,873,000, for miscellaneous projects and the National Cemetery Program.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOMELESS ASSISTANCE

TRANSITIONAL AND SUPPORTIVE HOUSING DEMONSTRATION PROGRAM

For an additional amount for "Transitional and supportive housing demonstration program", \$423,000,000, to remain available until December 31, 1994: Provided, That the Secretary shall fund approvable applications for such additional amount in the order submitted, in accordance with requirements established by the Secretary: Provided further, That the Secretary may waive, in whole or in any part, any requirement set forth in subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended, except a requirement relating to fair housing and nondiscrimination, if the Secretary finds that such waiver will further the purposes of this appropriation: Provided further, That notwithstanding section 426(a)(3) of that Act, the applicant shall own or control the site at the time of application: Provided further, That the total amount approved for any one applicant may not exceed \$10,000,000: Provided further, That after December 31, 1994, any of the foregoing amount that is obligated, but which the grantee has not drawn down from its letter of credit, shall be deobligated by the Secretary and shall expire: Provided further, That the Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the provisions of this appropriation.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT GRANTS

For an additional amount for "Community development grants", \$2,536,000,000, to remain available until December 31, 1994: Provided, That from the foregoing amount, \$25,360,000 shall be available for grants to Indian tribes in compliance with section 106(a)(1) of the Housing and Community Development Act of 1974, as amended, \$4,000,000 shall be available for grants under section 107(b)(1) of such Act, and the remainder shall be for States and units of general local government that are eligible under section 106 of such Act: Provided further, That the Secretary may waive entirely, or in any part, any requirement set forth in title I of such Act, except a requirement relating to fair housing and nondiscrimination, the environment, and labor standards, if the Secretary finds that such waiver will further the purposes of this appropriation: Provided further, That after December 31, 1994, any of the foregoing amount that is obligated, but which the grantee has not drawn down from its letter of credit, shall be deobligated by the Secretary and shall expire.

INDEPENDENT AGENCIES

COMMISSION ON NATIONAL AND COMMUNITY SERVICE

PROGRAMS AND ACTIVITIES

For an additional amount for "Programs and activities", \$15,000,000.

ENVIRONMENTAL PROTECTION AGENCY

ABATEMENT, CONTROL, AND COMPLIANCE

For an additional amount for "Abatement, control, and compliance", \$20,663,000.

PROGRAM AND RESEARCH OPERATIONS

For an additional amount for "Program and research operations", \$2,818,000.

STATE REVOLVING FUNDS/CONSTRUCTION GRANTS

For an additional amount for "State revolving funds/construction grants", to make grants under title VI of the Federal Water Pollution

Control Act, as amended, \$845,300,000: Provided, That notwithstanding section 602(b)(2) of such Act, no State match shall be required for this additional amount: Provided further, That notwithstanding section 602(b)(3) of such Act, States shall enter into binding commitments to provide assistance in an amount equal to 100 percent of the amount of each grant payment within one year after receipt of such grant payment from this additional amount.

For an additional amount for "State revolving funds/construction grants", to make grants authorized under section 319 of the Federal Water Pollution Control Act, as amended, \$46,961,000: Provided, That notwithstanding section 319(h)(3) of such Act, no State match shall be required for this additional amount.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RESEARCH AND DEVELOPMENT

For an additional amount for "Research and development", \$4,696,000.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For an additional amount for "Research and related activities", \$197,230,000.

ACADEMIC RESEARCH FACILITIES AND INSTRUMENTATION

For an additional amount for "Academic research facilities and instrumentation", \$4,696,000.

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$4,696,000.

TITLE II—GENERAL PROVISIONS

SEC. 201. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 202. All funds provided under this Act are hereby designated to be "emergency requirements" for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 203. (a) None of the funds under the head "Community Development Grants" in this Act may be used to assist a golf course or cemetery project that would otherwise be eligible for assistance under section 105(a)(2) of the Housing and Community Development Act of 1974, as amended: Provided, That the Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the provisions of the appropriation under this heading.

(b) None of the funds provided under this Act may be used to support whitewater canoeing facilities on the Ocoee River, fisheries atlases and studies of the sicklefin chub, and payments for a National Oceanic and Atmospheric Administration Office of Oceanic and Atmospheric Research class VI computer.

SEC. 204. Notwithstanding any other provision of law, for this Act, the Office of Management and Budget shall administer the obligation of all funds appropriated or otherwise made available by this Act in a manner that will ensure that no wasteful, unnecessary, or nonmeritorious programs, projects or activities are approved. The Director of the Office of Management and Budget shall, by notice published in the Federal Register, establish such requirements as may be necessary to carry out the intent of this section.

This Act may be cited as the "Emergency Supplemental Appropriations Act of 1993".

NICKLES AMENDMENT NO. 284

Mr. NICKLES proposed an amendment to the reported amendment in the nature of a substitute (being des-

ignated as amendment No. 283), to the bill H.R. 1335 supra, as follows:

On page 26, strike lines 4 through 24.

BURNS (AND NICKLES)
AMENDMENT NO. 285

Mr. NICKLES (for Mr. BURNS, for himself and Mr. NICKLES) proposed an amendment to the reported amendment in the nature of a substitute (being designated as amendment No. 283), to the bill H.R. 1335 supra, as follows:

On page 6, line 17: strike lines 17 through 24.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. AKAKA. Mr. President, I would like to announce for my colleagues and the public that an oversight hearing has been scheduled before the Subcommittee on Mineral Resources Development and Production of the Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony on the Report of the Kaho'olawe Island Conveyance Commission.

The hearing will take place on April 21, 1993, at 2 p.m. in room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE, Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510, Attention: Patricia Temple.

For further information, please contact Allen Stayman of the committee staff at 202/224-7865.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. FORD. Mr. President, I ask unanimous consent that the Senate Armed Services Committee be authorized to meet on Tuesday, March 30, 1993, at 2:30 p.m. in open session in SR-222, to consider John M. Deutch to be Under Secretary of Defense for Acquisition.

COMMITTEE ON FOREIGN RELATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 30 at 10 a.m. to hold a brief business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to

meet on Tuesday, March 30, at 9:30 a.m. for a hearing on the nomination of James B. King, to be Director of the Office of Personnel Management.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., March 30, 1993, to receive testimony on the science of global climate change.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. FORD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, March 30, 1993 at 5 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate, Tuesday, March 30, 1993, at 10 a.m. to conduct a hearing on transit needs and benefits.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON LABOR

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources Subcommittee on Labor be authorized to meet for a hearing on fairness in the workplace: restoring the right to strike during the session of the Senate on Tuesday, March 30, 1993, at 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

INTRODUCTION OF DUTY SUSPENSIONS

• Mr. BRADLEY. Mr. President, I rise in support of S. 642, a bill to extend the duty on ethyl and methyl parathion, and dimethoate. I joined my friend and colleague, Senator LAUTENBERG, in introducing this bill last week, but due to an oversight, the bill and our statements were not included in the RECORD. We introduced similar legislation last Congress.

This legislation will favorably affect Cheminova, Inc., a company with offices in Wayne, NJ. Cheminova imports a diverse line of chemicals that are primarily tailored for crop protection. Dimethoate, ethyl and methyl

parathion are frequently utilized as part of a mixture containing other pesticides, increasing or expanding the use of other pesticide ingredients. Importing these chemicals creates numerous American jobs for small pesticide manufacturers, formulators, and distributors.

According to the International Trade Commission, no domestic producer has registered objections to the proposed suspension. The legislation enables Cheminova to import the chemicals at reasonable prices making its products more affordable for consumers in the domestic market.

Mr. President, I ask that this bill be printed in the RECORD.

The bill (S. 642) follows:

S. 642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF EXISTING SUSPENSION OF DUTY.

(a) IN GENERAL.—Heading 9902.29.89 of the Harmonized Tariff Schedule of the United States (relating to methyl and ethyl parathion and dimethoate) is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act. •

F/A-18E/F

• Mr. D'AMATO. Mr. President, less than a year into engineering and manufacturing development [EMD], the F/A-18E/F appears to have a weight problem. I was very disturbed by a piece that appeared in Aviation Week & Space Technology on March 8, 1993, entitled, "F/A-18E/F Reconfigured To Improve Maneuverability." The particulars of the article are as follows:

F/A-18E/F empty weight

	Pounds
Design weight goal	29,514
Current weight	29,639
Not-to-exceed [NTE] weight	30,564
Margin remaining	925
Leading edge extension [LEX] fix	246
Margin remaining	679

My concern centers on the weight margin remaining: 679 pounds. This is only 79 pounds shy of the weight growth allotment for EMD, according to the independent assessment team convened last year by the Secretary of Defense to address F/A-18E/F performance concerns. The remaining 600 pounds was designated for test and evaluation [T&E]. That means that the F/A-18E/F, having not even reached preliminary design review, will soon be eating into the weight reserve intended for a phase of the aircraft's development that is years away.

This is particularly worrisome because recent McDonnell Douglas aircraft development programs, specifically the A-12, T-45, and C-17, have all

experienced significant weight growth that affected performance.

More alarming still, the McDonnell Douglas program manager was quoted as saying, "As the [F/A-18E/F] comes together, we have the opportunity to optimize stress levels and minimize weight * * *." This is ominous because the C-17 recently experienced an almost unheard of compression failure of the upper wing surface during an ultimate load test. Whether weight problems with the C-17 led to design compromises that contributed to the structural failure of the underdesigned wing will never be known.

What is known is that the F/A-18E/F is already exhibiting the characteristics of an aircraft with weight problems. We will have to be vigilant, if we are to prevent the kind of difficulties that overwhelmed the A-12 and continue to dog the T-45 and C-17. •

COMMEMORATION OF 250TH ANNIVERSARY OF BIRTH OF THOMAS JEFFERSON

• Mr. ROBB. Mr. President, I rise today to urge my colleagues' support of S. 50, which authorizes the minting of coins in commemoration of the 250th anniversary of the birth of Thomas Jefferson. Although Jefferson resided in Virginia, he left a profound mark on every State in our Nation.

Last January 20, we witnessed the most vivid example of Jefferson's legacy as President Clinton began his travel to Washington, DC: the peaceful transfer of power that represents the core of our democratic system of government. As we move forward, nations around the world continue to emerge from beneath the darkness of tyranny and into the light of freedom and self-determination, guided and encouraged by the principles that Jefferson helped define and nurture two centuries ago.

Thomas Jefferson was a man of great vision. Over 200 years ago, he joined with our Founding Fathers to create a government based on principles that we exercise today. As a result of Jefferson's profound accomplishment, our Nation has withstood countless obstacles including internal division in the 1860's. When we emerged from the rubble and reunited the country, Jefferson's democratic foundation was securely intact.

Thomas Jefferson also devoted himself to education and higher learning. He designed and built Monticello, Poplar Forest, and in 1819, established the University of Virginia which continues to offer distinguished educational opportunities. Like Jefferson's democratic ideals, these structures are admired around the world.

Enactment of the commemorative coin legislation would allow citizens to honor the Virginia statesman and his accomplishments. The proceeds from the sale of the coin would be dedicated

to Jefferson's favorite endeavors: architecture and education. A portion of the proceeds will go toward the restoration and preservation of his homes at Monticello and Poplar Forest. The less famous home, Poplar Forest, became endangered in 1984, but a small group of private citizens raised funds to purchase the landmark. The sales from this commemorative coin would help the nonprofit group restore Poplar Forest to its original splendor.

Proceeds also will be directed to the International Center for Jefferson Studies. The center provides for a variety of scholarships and teaching in areas that touched Jefferson during his life, such as architecture, archaeology, horticulture, law and political philosophy. The center, in combination with the restoration of Poplar Forest and the preservation of Monticello, will serve as a constant reminder to the world of Thomas Jefferson and all of his accomplishments.

As a Virginian and American, I can think of no other man who is more deserving of the honor embodied in this legislation. I respectfully urge my colleagues to cosponsor S. 50 and ask for its enactment before Mr. Jefferson's 250th birthday, April 13, 1993.●

KILLING OUR CHILDREN

● Mr. SIMON. Mr. President, our children are dying—not from disease or malnutrition, but from guns. Firearms are involved in one in every four deaths among young persons aged 15 to 24; in fact, firearms are the cause of more deaths in that age group than all natural causes combined, and the rate of gun-related deaths is rapidly increasing.

In 1985 there were 13.3 deaths per 100,000. That figure jumped to 23.5 deaths per 100,000 in 1990, and among black males, the figures are even higher. Sixty percent of deaths among black teenage males are caused by guns, compared to 23 percent among white teenage males. These figures do not even reflect the extent of serious injury caused by guns—there are seven times as many nonfatal firearm injuries as there are deaths caused by guns.

Experts admit that the dramatic increase of violence among our children is a result of a variety of factors, including, the easy accessibility of guns, increasing drug traffic, the glorification of violence in the media, and the breakdown of the family. But whatever the cause, these days, not a day goes by that we don't turn on the TV or open the newspaper and learn of a murdered child. Mr. President, I request that the following article, which appeared in the Chicago Tribune on March 20, 1993, be placed into the RECORD. The article is one in a series of articles written by George Papajohn and William Recktenwald. The article follows:

KILLING OUR CHILDREN: 11 DEAD IN 1993
TEEN LIVED WITH DEATH, DESPAIR AND AT 14 YEARS OF AGE, HE BECAME ANOTHER SAD STATISTIC

(By George Papajohn and William Recktenwald)

Before he was old enough to shave, Charles Robert Coleman had experienced traumas unknown to most adults. He learned about death, he knew despair.

Two years ago, his older brother hanged himself in his bedroom closet. About four months later, the state took custody of Charles, who was not being fed properly and sometimes had no place to stay. The boy's sister later took over his care.

At times, Charles talked about wanting to join his brother. But he also displayed a remarkable resiliency.

In school, though diagnosed as severely learning-disabled, he worked hard to improve, and he hadn't missed a day all year.

At the Elliott Donnelley Center, where Charles, 14, would go to play computer games or basketball after school, he was a prankster nicknamed "Bump."

"He was just a real happy kid," said Leslie Clark, who works at Donnelley. "Every time I saw him, he had a smile on his face."

But horseplay becomes something different when a gun is involved, and resiliency of spirit means little to a bullet.

Charles was killed, police said, because a boy didn't like getting slapped in the back of the head. That boy, age 13, was one of Charles' close friends.

The playful roughhousing began at a party Wednesday in a 9th-floor apartment in the Chicago Housing Authority high-rise at 4120 S. Prairie Ave., where Charles lived.

Charles' friend, apparently, didn't want to be hassled. Priscilla Hardy, who was throwing a birthday party for her 9-year-old daughter in their apartment, recalled the boy's warning to Charles and the others:

"If anybody smacks me, I'm going to shoot him."

About 6 p.m., the party over, Hardy shoed the children out.

The older boys, she said, may have planned to continue the fun at an empty apartment, 906, sometimes used by youths who fire random shots from the dwelling. The windows are boarded up but the door is unlocked.

A hole in the board covering the rear window is large enough to shoot out of inside that apartment, according to police accounts.

Somebody smacked the boy who was carrying the gun.

It wasn't Charles. But the boy, in a rage, fired two shots from his .45-caliber semiautomatic, police said. One bullet hit 16-year-old Raymond Sims in his leg.

The other struck Charles in the chest. He died on a concrete floor, wearing a T-shirt with the words, "Floyd R.I.P.," a tribute to his brother. He was the 11th child age 14 or younger killed in the Chicago area this year.

One story making the rounds among building residents is that Charles was trying to stop his friend from shooting another boy when he was struck by the bullet.

Afterward, the boy told Hardy it had been an accident.

"He asked if (Charles) was dead," Hardy said. "He said, 'I swear I would never kill a friend.'"

Police, however, are not treating the death as an accident.

The boy, who is not being named because he is a juvenile, has been charged with murder and attempted murder in a juvenile delinquency petition. A hearing will determine if he can be tried as an adult.

The case illustrates how easily children can get guns and how ill-equipped they are to handle such a deadly weapon.

"Most of the kids I know can buy a gun within 15 to 20 minutes," Daniel Swope, who has worked with youths for many years, told a panel on gang violence this week.

An 11-year-old boy attending the party at Hardy's apartment tried to buy the gun from Charles' friend, Hardy said.

And her own son, growing up in an environment where violence and guns are commonplace, knows enough about firearms to comment about the boy's .45. "It was like a 9," the 13-year-old said, meaning a 9 mm semiautomatic.

Charles' friend probably was not unfamiliar with guns either. He was charged with unlawful use of a weapon and unlawful possession of a firearm in September, charges that later were stricken.

"He acted in anger—that is how these things happen," said Lt. John Regan of the Wentworth Area. "If they have guns, they have no qualms to use them. Kids get caught up in what they're doing. Later everybody says, 'I didn't mean to do it.' But that is later."

In another era, a similar confrontation might have resulted in a fistfight, Regan said. The next day everybody would be friends again.

"With guns," he said, "there is no next day."

Nobody can say for sure what went through the boy's mind during the shooting, or afterward. But before Charles was killed, the boy tried to let the other kids know how tough he was and bragged about an uncle whom he described as a ranking gang member, police said.

"Anytime he came to school he was talking about killing people," said a classmate from Fuller Elementary School. "He said his uncle was an elite."

All that posturing seemed to evaporate when he saw the blood pouring from his friend's chest. Inside Hardy's apartment, where police were holding him, the boy banged his head against her sink again and again, she said, all his rage now turned inward.

Earlier that day at Fuller, he and Charles had signed up for high school together. Both were on schedule to graduate from 8th grade. Both planned to attend King this fall.

The boy's grandmother had hoped to keep him away from gangs and trouble by arranging his transfer from Bradwell Elementary, 7736 S. Burnham Ave., to Fuller, 4214 S. St. Lawrence Ave., a couple of months ago.

"I believed he was having trouble with gangs around here," said the grandmother, who lives near Bradwell. "I know he did not want to get involved with the gangs."

Like Charles, the boy was known as a well-mannered student. His teacher, Wilson Sullivan, noted that the boy had even at one point requested extra work.

Sullivan was surprised to hear that the boy was hanging around in the CHA high-rise, notorious in the neighborhood for its ties to the Vice Lords gang. "If I would have known he was hanging around there, it would have worried me," Sullivan said.

The metal detectors installed by the CHA after one of its security sweeps provide little deterrent, residents said. A visitor can easily avoid the metal detector by sneaking up a stairwell out of sight of security guards.

"They do not search anyone," said Fredrica Coleman, 31, Charles' sister and guardian. "They let a 13-year-old into the building with a gun."

A CHA spokesman responded by saying, "If residents see problems, they should report them to management."

The Coleman family has had its share of troubles over the years, both in the building and outside.

Charles underwent counseling after his brother's suicide, but that was just one of many family crises he endured. One of his brothers, described by prosecutors as a gang member, is on Death Row in the Pontiac Correctional Center for a double murder. Another brother has served time for home invasion, records show.

His sister, Frederica, took custody of Charles in 1991. Not long afterward, she was shot in the chest during what she told authorities was an accident.

Charles' mother is confined to a nursing home after a stroke paralyzed the right side of her body, according to Frederica.

By almost any standard, Charles had emerged from these potentially devastating circumstances with a sense of purpose and little anger.

"He was a good child," Frederica said. "He was not selling no drugs. He did not hang out that much."

Charles and Michael Twyman, 13, would sometimes go to church after school for Bible lessons or to the Connelley Center.

Much of the time, they simply stayed inside—the only alternative to the dangers lurking in the graffiti-splattered corridors of Charles' buildings or the violent streets outside. Charles liked to listen to rap music in his 12th-floor apartment.

Friends and classmates expressed a deep sense of loss over Charles' death, as demonstrated in the cards composed by Fuller students.

A boy named Dion wrote, "This is to say that Charles was my best buddy ever."

"Charles was a nice young boy, he was kind he was sweet he was hamesome," a classmate named DaShonda wrote. Her punctuation and spelling were shaky, but her sentiments were heartfelt: "I will miss Charles."

Assistant Principal Judith Riggins, in a staff memo, reminded teachers to let students mourn. She ended her note: "So very sad about the problems and violence that our youth of today face."

DaShonda's message, encircled by a heart, expressed the same regret.

"You was too young to die."

DEPARTMENT OF ENERGY ACTIONS ON NONNUCLEAR CONSOLIDATION

● Mr. DANFORTH. Mr. President, last Friday, the Secretary of Energy was to have made an announcement to advance a very misguided policy. She was to have announced the names of three consultants to evaluate a document known as the Nonnuclear Consolidation Cost Effectiveness Report. She was also to have announced the scope of their assessment. However, the Secretary missed her self-imposed deadline and has not yet made her announcement.

I would like to take a few minutes to outline my disagreement with Secretary O'Leary's handling of political pressure to review a Department of Energy decision to consolidate production of nonnuclear components for nuclear

weapons at the Department of Energy's Kansas City facility.

Since June 1990 the Department has been planning for consolidating production facilities of nonnuclear components for nuclear weapons. This is part of the Department's massive effort to downsize the country's nuclear weapons production capability in light of the end of the cold war. The effort represents a monumental task involving billions of dollars and vital questions of national security, safety, and environmental protection. In 1991, DOE established an Office of Weapons Complex Reconfiguration to focus on the downsizing. Currently, approximately 30 specialists in that Office, including top engineers and environmental and safety specialists, are considering the very difficult questions involved in determining what capabilities must remain and how to consolidate existing facilities.

In April 1991 the Department of Energy began work on the nonnuclear consolidation plan, or NCP. The purpose of this plan was to determine how to consolidate activities currently being performed at four major plants at one single site. In the NCP, the Department evaluated and rated consolidation at the different plants based on the following factors: environment, safety, health, technical risks, cost, and time. The NCP, released in March 1992, recommended consolidation at the Kansas City facility. It showed that consolidating at Kansas City would be approximately \$600 million more cost effective than any other option, and would take approximately 3 years less than any other option. In addition, an assessment of technical risks supported that recommendation.

Since release of that document, the Department has engaged in four additional studies of nonnuclear consolidation. Each of the studies supports the decision to consolidate nonnuclear activities at the Kansas City plant. In fact, based on the last study performed, DOE estimates that the additional cost of consolidating at a site other than Kansas City is probably even greater than the \$600 million estimated in the NCP. On January 15, 1993, former Secretary of Energy James Watkins certified that the Department's plan to consolidate nonnuclear activities in Kansas City is cost effective, and would not increase technological, environmental, safety, or health risks relating to the operation of the facilities of the Department. I ask to include this certification from the Cost Effectiveness Report in the RECORD.

The letter follows:

THE SECRETARY OF ENERGY,
Washington, DC, January 15, 1993.

The Energy and Water Development Appropriations Act, 1993 and the National Defense Authorization Act for Fiscal Year 1993 require that before identified fiscal year 1993 funds may be obligated to implement the nonnuclear reconfiguration, I submit a re-

port to the Congressional Committees on Appropriations and the Congressional Defense Committees, which contains an analysis of the projected costs and benefits of the proposed nonnuclear reconfiguration actions and each alternative considered in the Nonnuclear Consolidated Environmental Assessment [EA]. This report provides that analysis.

These Acts also require that I certify that certain actions would be cost effective. I hereby certify that the discounted cash flow analysis demonstrates that the proposed activity transfers, and associated plant closures, would be cost effective. In addition, I certify that the reconfiguration of nonnuclear activities would not increase technological, environmental, safety, or health risks relating to the operation of the facilities of the Department.

Consolidation of the nonnuclear weapons manufacturing activities is needed to maintain key technologies associated with the design and manufacture of components. These technologies are required to support the enduring stockpile. As budgets contract, the collocation of these technologies provides the mechanism to exercise and retain the special skill base necessary to produce and test replacement components.

In addition, significant long-term cost savings can be achieved. The current nonnuclear production complex, sized for Cold War production levels, requires \$470 million [FY 92 constant dollars] per year in infrastructure costs alone. Consolidation, with an up-front investment of \$440 million, will permit the infrastructure costs to be reduced by \$250 million per year. This up front investment does not include decontamination or environmental restoration costs. The costs to decontaminate the sites where production activities are withdrawn are not considered to be associated with reconfiguration since these costs must be incurred independent of any decision to reconfigure.

Based upon analysis summarized in the preapproval copy of the EA, the environment, safety and health risks associated with the proposed consolidation of nonnuclear manufacturing activities would involve no increase in risk over that associated with the complex in its current configuration.

JAMES D. WATKINS,
Admiral, U.S. Navy (Retired).

On February 18, 1993, after Hazel O'Leary was confirmed as Secretary, I received a letter from Everett H. Beckner, Acting Assistant Secretary for Defense Programs, which responded to a letter I had written Secretary Watkins on January 12. In the letter, Beckner wrote that:

It is essential that the work load be consolidated and that consolidation proceed as rapidly as possible. The proposed reconfiguration, consolidating most nonnuclear manufacturing activities at the Kansas City plant, is cost effective on both a constant dollar basis and a discounted cash flow basis. Consolidating as quickly as possible and preserving some technologies at the design and development laboratories will present the least technological risk.

I ask that this letter be included in the RECORD.

The letter follows:

DEPARTMENT OF ENERGY,
Washington, DC, February 18, 1993.

Hon. JOHN C. DANFORTH,
U.S. Senate, Washington, DC.

DEAR SENATOR DANFORTH: Thank you for your letter of January 12, 1993, to then Sec-

retary Watkins, in which you requested the Department's timetable for nonnuclear consolidation and its justification for designating the Kansas City plant the preferred consolidation site. Your letter has been forwarded to me for response as I am the senior Department of Energy [DOE] official responsible to the Secretary of Energy for planning the nuclear weapons complex of the future.

If the National Environmental Policy Act [NEPA] process for the proposed nonnuclear consolidation is completed in May 1993 and results in a Finding of No Significant Impact [FONSI], implementation could begin in June 1993, with Secretary O'Leary's approval. It is anticipated that activities would be scheduled to be removed from their existing locations by early FY 1996 and reinstalled and ready for use at their new location by the end of FY 1997.

The work load remaining in the nuclear weapons complex is insufficient to exercise all key technologies necessary to retain technical competence. The low work load is also resulting in activities that were privatized in the past being brought back into the DOE complex because production quantities are too small to make them attractive to private industry. The proposed reconfiguration would concentrate the core capabilities at a single site and thus minimize the number of activities which will need to be undertaken solely to maintain the viability of key technologies.

In order to retain technical competence, it is essential that the work load be consolidated and that consolidation proceed as rapidly as possible. The proposed reconfiguration, consolidating most nonnuclear manufacturing activities at the Kansas City Plant, is cost effective on both a constant dollar basis and a discounted cash flow basis. Consolidating as quickly as possible and preserving some technologies at the design and development laboratories will present the least technological risk. The environmental analysis thus far indicates that the environmental, safety, and health risks would not be increased as a result of the proposed reconfiguration.

Enclosed are answers to your specific questions. With the reduced nuclear weapons work load and the reality of budget constraints, some difficult decisions must be made regarding the future size and makeup of our nuclear weapons complex. I appreciate this opportunity to address your questions with regard to the proposed nonnuclear consolidation.

Sincerely,

EVERET H. BECKNER,
Acting Assistant Secretary
for Defense Programs.

RESPONSE TO SENATOR DANFORTH'S QUESTIONS OF JANUARY 12, 1993

1. When did the Department determine that Kansas City was the preferred option for consolidation?

A. Based on the analysis in the Nonnuclear Consolidation Plan (NCP), completed in September 1991, the Secretary of Energy announced on December 16, 1991, that the Kansas City Plant was the preferred alternative for nonnuclear consolidation. He further announced that an Environmental Assessment (EA) would be prepared to determine whether there were significant environmental impacts associated with the proposal to consolidate at Kansas City.

2. Has the Department engaged in an additional study since its initial determination?

A. Yes, the NCP was officially issued in March 1992 with an addendum that reflected

the impact of the disarmament initiatives announced by the President in September 1991 and January 1992. In April 1992, the Supplemental Cost Study For Nonnuclear Consolidation was prepared to (1) provide greater detail on the cost savings, (2) estimate the cost of keeping open all sites and not consolidating and (3) document the need for timely consolidation. The Two-Site Nonnuclear Consolidation Study, which analyzed options for retaining two of the three dedicated nonnuclear sites, was released in December 1992. Its release had been delayed to incorporate the impact of the Bush/Yeltsin Agreement. In December 1992, the Department also released the Tritium Consolidation Comparison Study which compared the costs and radiological risks of consolidating the tritium processing presently performed at the Mound Plant and the Savannah River Site at either location. At the same time, the Nonnuclear Consolidation Environmental Assessment was issued for preapproval review and comment by the affected states and Indian Tribes. In January 1993, the Nonnuclear Reconfiguration Cost Effectiveness Report (CER) was issued.

3. Has the Department's assessment that Kansas City is the site of choice changed since its initial determination?

A. No. All the studies mentioned above support the proposed reconfiguration of consolidating most of the nonnuclear manufacturing activity at the Kansas City Plant. As a result of the significant reductions in work load which have occurred since the initial consolidation study, some activities initially planned for consolidation at Kansas City must now be located at the National laboratories to preserve the technology involved.

4. On what factors are the Department's assessment based?

A. The plants were evaluated and rated in the NCP on environment, safety, health, and technical risks; cost; and time.

5. How much less expensive is consolidating in Kansas City rather than pursuing other options?

A. According to the NCP, approximately \$600 million. The total capital and operating costs for consolidating at the four alternative sites was estimated as follows in the NCP:

	[In millions]
Kansas City	\$277.4
Mound	881.1
Pinellas	886.6
Rocky Flats	890.1

No other comparative costs study has been done to date. However, the costs for consolidating at Kansas City was examined in the CER using data from conceptual design reports made subsequent to the NCP. These indicate that the operating cost of consolidating at Kansas City, particularly the cost of activity transfers, are significantly greater than anticipated in the NCP. The CER estimates the total costs of consolidation at Kansas City to be \$440 million. If detailed estimates of the activity transfer costs for the other alternatives were to be made, it is reasonable to assume that they would also be greater than reported in the NCP, but those analyses have not been done since it would appear to be an unnecessary expenditure of funds. In fact, we would expect that such analyses would show that the additional cost of consolidating at a site other than Kansas City is probably even greater than the \$600 million estimated in the NCP.

6. How much less time would consolidating in Kansas City take than pursuing other options?

A. Approximately three years. This estimate in the NCP was based on the fact that

to prepare environmental documentation, design, and build the greater number of new facilities needed at alternative sites to Kansas City would require approximately three additional years.

7. What is the relative risk involved with the various options?

A. Technological, environmental, safety, and health risks have been evaluated for each of the options. Keeping all the sites open would involve the greatest technical risk of maintaining competence in critical weapons technologies. This has become an increasing concern with the recent work load and projected budget reductions. Technical risks also include the risks associated with relocating and requalifying critical weapons production technologies. In this regard, the Kansas City Plant appears advantageous as its retention would result in significantly fewer relocations and requalifications.

Consolidating the nonnuclear activities at a given site will incrementally increase the environmental, safety, and health (ES&H) risks at that site. The increase in these risks would be greatest at the Pinellas Plant because of the introduction of hazardous chemicals and regulated waste streams new to that environment. The ES&H risks associated with any major new construction would be avoided if consolidation occurs at the Kansas City Plant, the only option not requiring major new construction. Consolidation at the Mound Plant would require retaining the tritium activities at the site and would continue the current risks associated with tritium activities being carried out in a heavily populated area.

8. What will the status of the consolidation be on January 20, 1993?

A. The nonnuclear consolidation activities continued to be in a planning stage as of January 20, 1993: (1) The EA is under review by the affected states and Indian Tribes with comments due by January 29, 1993. Following the receipt of these comments, the Department will address the issues raised and determine whether the EA supports a proposed Finding of No Significant Impact (FONSI). (2) The CER, transmitted to the Congress on January 19, 1993, started a 90 day waiting period before implementation may begin. (3) Planning for the activity transfers associated with the proposed reconfiguration will continue.

9. When should a final Finding of No Significant Impact for nonnuclear consolidation be issued?

A. If no significant impacts are identified as a result of the state/Indian tribe review process, the Department will finalize the EA and publish, for public comment, a proposed FONSI. Assuming that no significant impacts are identified during the public comment period, a final FONSI and consolidation decision could be issued in May 1993.

10. When will the transfer of work, and the closing down of plants, actually begin?

A. Implementation of the proposed nonnuclear consolidation cannot begin until 90 days after Nonnuclear Reconfiguration Cost Effectiveness Report was delivered to the Congress, which occurred on January 19, 1993. In addition, the National Environmental Policy Act process must be completed. For planning purposes it is estimated that implementation will begin about June 1, 1993. It is not anticipated that the weapons mission will be withdrawn from any plant before the beginning of Fiscal Year 1995. It should be noted that withdrawal of the weapon production activity at these plants will not lead to plant closures anytime soon due to the large amount of work required for environmental restoration and remediation.

During the 102d Congress, opposition to the Department's plan for reconfiguration by elected officials representing areas that would lose jobs was intense. Members from Ohio, who represent the Mound plant at Miamisburg, OH, were especially active. Because I knew that opponents would ask the new Secretary to reconsider the reconfiguration plan, I asked, in January, for a meeting with Secretary O'Leary to discuss the issue. I followed that up with another request. However, the Secretary's Office refused, saying that the Secretary was not meeting on any issues other than the President's economic program.

On March 9, 1993, Secretary O'Leary met with Senator GLENN and Representative TONY HALL, both Democrats from Ohio. According to a press release issued by Senator GLENN, during the meeting, O'Leary "agreed to reconsider a consolidation plan which would have closed the Mound plant at Miamisburg and moved its operations to Kansas City and other locations." The press release says that the Secretary committed to Senator GLENN and Congressman HALL that "a three-person board selected in consultation with Senator GLENN, Congressman HALL, and Congressmen from affected States would be established to study and reconsider the Bush administration's plan and recommend a course of action." That same day, DOE released a statement saying that the Secretary intends to review the Department's 11th-hour decision to certify the Non-nuclear Reconfiguration Cost Effectiveness Study. The statement confirmed that the Secretary wanted elected officials to take part in the choosing of consultants to conduct the review and in determining the criteria for the assessment.

In a March 15 meeting with staff members of elected officials, Bob DeGrasse, special assistant to the Secretary, said that if an elected official taking part in the process had an objection to a nominee for consultant, it is likely that that person would not be able to serve. In a March 22 memorandum from the Department, DOE asked interested elected officials and their staffs to review a list of proposed names for consultants and to "let the Department know if there are any individuals on the list that you believe are not properly qualified to be independent consultants." In addition, DOE proposed a scope of work in the March 22 memorandum which went far beyond the Secretary's initial announcement that it would be limited to a review of the Cost Effectiveness Study. The Secretary now wants a review of whether conditions have changed since January "to the extent that the findings and analysis are no longer valid."

Mr. President, we do not need more studies. The consolidation plan has been studied over and over by top pro-

fessionals at the Department of Energy for the past 3 years. Each of the five studies conducted by DOE shows that consolidating in Kansas City is the only choice that makes sense. The studies show that that option will save the taxpayer at least \$600 million over consolidating at another site. It would take 3 years less to consolidate at Kansas City than at one of the other sites. Assessment of risks also points to consolidating at Kansas City. Consolidating at two sites, or downsizing all existing facilities in place, are considerably more expensive options than consolidating at Kansas City.

To be blunt, Mr. President, the process set up by the Secretary of Energy reeks of pork barrel politics. How else can you explain why Secretary O'Leary, following a meeting with two Ohio Democrats, would question and delay the Department's consolidation plan, when less than 3 weeks before, a career Acting Assistant Secretary wrote that "it is essential that * * * consolidation proceed as rapidly as possible."

The Secretary appears to have given elected officials with a major parochial interest at stake veto power over the selection of consultants. That is an unacceptable policy. Permitting elected officials from States standing to lose thousands of jobs based on the outcome of studies, to play a role in choosing who does the studies, and what the scope of the studies are, is improper.

Finally, this additional review will delay the benefits of the consolidation to the taxpayer. The Cost Effectiveness Report estimates that \$11.9 billion in life-cycle savings will accrue as a result of the consolidation, a savings of \$250 million a year, or early on, more than \$10 million a month. Before the announcement of this additional review, the Department would have been able to publish a proposed finding of no significant impact for public comment in March, a final finding in May, and begin implementing the consolidation plan around June 1. However, under the Secretary's new plan, the National Environmental Policy Act, or NEPA, process has been put on hold. That means that if the review is complete by June 1, a final FONSI will likely not be issued until at least August. Thus, for no reason, a savings of more than \$20 million will be delayed. And given the Department's willingness to ignore the deadline it set for itself, there is no reason to expect that there will be only a 2-month delay.

Mr. President, because of the myriad of flaws in the Secretary's handling of this process, I, along with Senators BOND, DOLE, KASSEBAUM, and THURMOND, have asked for a Department of Energy inspector general investigation into it. I ask that the letter asking for the investigation be placed in the RECORD. I await the inspector general's reply.

The letter follows:

U.S. SENATE,

Washington, DC, March 16, 1993.

Hon. JOHN C. LAYTON,
Inspector General, Department of Energy,
Washington, DC.

DEAR MR. LAYTON: Pursuant to section 4(a)(5) of the Inspector General Act of 1978, this letter is to request an investigation into a March 9, 1993 pronouncement by the Department of Energy that Secretary of Energy Hazel O'Leary intends to review the Department's "11th hour decision" to certify the Nonnuclear Reconfiguration Cost Effectiveness Study. The statement says that the Secretary "intends to appoint three consultants to evaluate the findings and analysis supporting the earlier certification" and that "the three consultants and the criteria for the assessment will be chosen in consultation with elected officials of the affected areas" (Exhibit A).

Because in our view the Secretary's announcement fails to promote economy, efficiency, and effectiveness in the Department, we request that pursuant to Section 4(a)(1) of the Act, you conduct an investigation relating to this matter and, pursuant to section 4(a)(5) of the Act, you inform us as soon as practicable of any finding of deficient administration. In addition, we request that you offer to us any recommendation of corrective action that the Department or Congress should take concerning this program.

Downsizing the nation's nuclear weapons production complex is a monumental task involving billions of dollars and vital questions of national security and safety. The Department of Energy has taken that task very seriously. In 1991, the Department established the Office of Weapons Complex Reconfiguration to focus on the downsizing. At this time, approximately 30 specialists in that Office, including top engineers and environmental and safety specialists, are considering the very difficult questions involved in determining what capabilities must remain and how to consolidate existing facilities.

Since June, 1990, the Department has been planning for consolidating production facilities of nonnuclear components for nuclear weapons. Major sites which produce such components are the Kansas City Plant in Missouri, the Mound Plant in Ohio, the Pinellas Plant in Florida, and the Rocky Flats Plant in Colorado. In April, 1991, responding to a Notice of Intent issued by the Secretary of Energy to prepare a Programmatic Environmental Impact Statement for the Reconfiguration of the Nuclear Weapons Complex, the Department began work on the Nonnuclear Consolidation Plan (NCP). The purpose of this plan was to analyze alternatives and determine how to consolidate at a single site.

The Department's Kansas City Plant, located in Kansas City, Missouri, and within five miles of the Kansas state line, employs approximately 4,500. The four senators from Missouri and Kansas who represent these employees are all Republicans. The Mound Plant, located in Miamisburg, Ohio, employs under 2,000. Both senators from Ohio are Democrats.

In the NCP, the Department evaluated and rated consolidation at the different plants based on the following factors: environment, safety, health, technical risks, cost, and time. The NCP, released in March, 1992, recommended consolidation at the Kansas City facility. It showed that consolidating at Kansas City would be approximately \$600 million more cost effective than any other option, and would take approximately three

years less than any other option. In addition, an assessment of technical risks—risks associated with losing competence in critical weapons technologies and with relocating and requalifying critical weapons production technologies—points to consolidating at Kansas City.

Since release of that document, the Department has engaged in numerous additional studies of nonnuclear consolidation. In April, 1992, the Department released a Supplemental Cost Study for Nonnuclear Consolidation, which assessed cost savings in greater detail and analyzed the costs of retaining and downsizing all current sites. In December of 1992, it issued a Two-Site Nonnuclear Consolidation Study, which analyzed options for retaining two sites, rather than consolidating at one. Also in December, the Nonnuclear Consolidation Environmental Assessment was released. In January of 1993, the Department issued the statutorily-required Nonnuclear Reconfiguration Cost Effectiveness Report (CER). Each of these documents supports the decision to consolidate nonnuclear activities at Kansas City.

As part of the consolidation, the Department recommended moving work associated with tritium processing from the Mound Plant to the Savannah River Site in South Carolina. In December of 1992, the Department issued the Tritium Consolidation Comparison Study which compared the costs and risk of consolidating tritium work currently performed at Mound and Savannah River at one location or the other. The study showed that it was approximately \$2 billion more cost effective to consolidate work at Savannah River.

Currently, the Department is assessing whether the Environmental Assessment supports a Finding of No Significant Impact (FONSI). If the Department determines that it does, it will finalize the Environmental Assessment and publish a proposed FONSI for public comment. According to the Department, a final FONSI and consolidation decision could be issued in May, 1993.

On more than one occasion since January, 1993, Senator Danforth requested a meeting with Secretary O'Leary to discuss nonnuclear consolidation. The Secretary's office refused, saying that the Secretary was not meeting on any issues other than the President's economic program. Senator Thurmond also requested a meeting and was refused.

On March 9, 1993, Secretary O'Leary met with Senator John Glenn and Representative Tony P. Hall. According to a press release by Senator Glenn, during the meeting, O'Leary "agreed to reconsider a consolidation plan which would have closed the Mound plant at Miamisburg and moved its operations to Kansas City and other locations" (Exhibit B). The press release says that the Secretary committed to Glenn and Hall that: "The Non-Nuclear Consolidation Plan which Glenn and Hall have attacked as flawed would be set aside for the time being"; that "a three person board selected in consultation with Glenn, Hall, and Congressmen from affected states would be established to study and reconsider the Bush Administration's plan and recommend a course of action"; and that "a 90 day 'clock' which would have allowed Mound to begin shut-down operations April 19 will be stopped."

That same day, the Department of Energy released a statement outlining the Secretary's decision. In a March 11 memorandum from Bob DeGrasse, Special Assistant to the Secretary, to interested elected officials and their staffs, DeGrasse laid out a detailed process for officials' involvement in

the selection of consultants and assessment criteria (Exhibit C). According to the document, each office would have until the close of business on March 16 to provide the Department with suggestions for consultants and assessment criteria. After the Department assembles the suggestions and distributes them back to the offices, each office would have until March 22 to provide comments on the suggested consultants and assessment criteria. The Secretary would make a final decision by March 26.

In a March 15 meeting with staff members of elected officials, DeGrasse said that if an elected official taking part in the process has an objection to a nominee for consultant, it is likely that that person would not be able to serve. In addition, he said that in order to avoid the requirements of the Federal Advisory Committee Act, each consultant would make a separate report. He also extended the timetable outlined in his memo.

This study will delay the Department's final decision on consolidation by at least two months. If information contained in the Environmental Assessment warranted it, the Department was to have issued a proposed Finding of No Significant Impact (FONSI) this month. However, now a FONSI cannot be issued until the new study is complete. According to the CER, each month consolidation is delayed will cost the taxpayer more than \$10 million. This expense is in addition to the costs of hiring consultants to conduct the review.

We believe your investigation should focus on the following:

- (1) The efficiency and economy of adding burdensome new requirements to a pending administrative determination about which six exhaustive studies have been undertaken;
- (2) The fairness of expending additional revenues on this project when requested to do so by the Chairman of the Senate Governmental Affairs Committee;
- (3) The propriety of requesting elected officials with a strong constituent interest to play a role in the selection of independent consultants to review the Department's work in this very important and sensitive area, and to play a role in determining the assessment criteria for the consultants' work; and
- (4) The arbitrary and sudden manner in which a political appointee has called into question the information gathered and recommendations made by Department professionals after years of study.

Because the Secretary of Energy expects to make a final decision on the three consultants and the assessment criteria by March 26, your immediate attention is requested.

Sincerely,

Christopher S. Bond, Nancy Landon Kassebaum, Strom Thurmond, John C. Danforth, Robert Dole.

MARCH 9, 1993.

The Secretary intends to review the 11th hour decision of the last Administration to certify the Nonnuclear Reconfiguration Cost Effectiveness Study. She intends to appoint three consultants to evaluate the findings and analysis supporting the earlier certification. The Secretary believes this is the fairest way for the new administration to proceed.

The three consultants and the criteria for the assessment will be chosen in consultation with elected officials of the affected areas.

The assessment will take between 60 and 90 days and should be completed no later than June 1, 1993.

The Secretary does not intend to make a final decision regarding the environmental impact of nonnuclear reconfiguration until this assessment has been completed.

DEPARTMENT OF ENERGY AGREES TO RE-THINK MOUND CLOSING

In a meeting with Senator John Glenn (D-Ohio) and Rep. Tony P. Hall (D-Ohio), Secretary of Energy Hazel O'Leary today agreed to reconsider a consolidation plan which would have closed the the Mound Plant and moved its operations to Kansas City and other locations.

"For over a year, we have battled a flawed decision made haphazardly by DOE. Today, the Clinton Administration has agreed to go back to the drawing board. This is an affirmation of fairness for the workers at Mound and for the entire Dayton area," said Glenn.

"Secretary O'Leary made it clear that she does not have to follow the plan to close Mound and that there will be a new process to determine Mound's costs and capabilities. Now, we have a real chance to demonstrate Mound has a role in our future defense needs," said Hall.

Glenn, and Hall said they had received a commitment from O'Leary that the following steps would be taken:

The Nuclear Consolidation Plan which Glenn and Hall have attacked as flawed would be set aside for the time being.

A three person, board selected in consultation with Glenn, Hall and Congressmen from affected States would be established to study and reconsider the Bush Administration's plan and recommend a course of action. O'Leary said she would like them to report back by June 1.

A 90 day "clock" which would have allowed Mound to begin shut-down operations April 19 will be stopped.

The Department of Energy will look into the status of contracts at Mound with a view toward permitting outside businesses contracting or partnerships in addition to Mound's Department of Energy work. Those partnerships would probably be similar to research contracts at the federal government's Los Alamos facility in New Mexico.

Hall and Glenn have maintained for over a year that there were fundamental flaws in the Department of Energy's plan for streamlining the nation's nuclear weapons complex. The General Accounting Office (GAO) and other independent groups have also charged that the Department of Energy's plan was put together with insufficient data, and without considering all available information.

EXHIBIT C

MARCH 11, 1993.

To: Interested Elected Officials and Their Staffs.

From: Bob DeGrasse, Special Assistant to the Secretary, U.S. Department of Energy.

Subject: Meeting to Discuss Nonnuclear Consolidation of the Nuclear Weapons Complex.

On March 9, 1993, the Secretary of Energy, Hazel O'Leary, announced that she intends to review the decision of the previous Administration to certify the cost effectiveness of the proposed consolidation of the nonnuclear activities of the nuclear weapons complex. She intends to appoint three independent consultants to evaluate the findings and analysis that supported the cost effectiveness certification. The Secretary believes that this is the fairest way for the new Administration to proceed in this important area.

A major part of this review effort will be the selection of the three consultants and the criteria for the cost effectiveness assessment. The Secretary has asked that the Governors, Senators and Representatives from the affected states be involved in this selection process. To this end, we would like to invite you and/or your staffs to attend a meeting on Monday, March 15, 1993, at 2:00 PM in Room 236 of the Russell Senate Office Building in Washington, D.C.

At this meeting we will discuss the specific process and schedule for the selection of the consultants and the assessment criteria. The schedule will be tight, as the Secretary wants to proceed as quickly as prudence and fairness will allow. Your offices will have until the close of business on March 16 to provide the Department with your suggestions for consultants and assessment criteria. The Department will then assemble all of the suggestions and distribute them to your offices on March 19. You will then have until the close of business on March 22 to provide your comments on the suggested consultants and assessment criteria. The Secretary expects to make a final decision on the three consultants and the assessment criteria by March 26. The consultants would then be expected to complete their assessment no later than June 1, 1993.

Because of the compressed schedule, we would ask that you fax your comments to John Rabb in the Department's Governmental Relations Office at (202) 586-5497 or (202) 586-7314. If you need to talk to me, my phone number is (202) 586-1400 or (202) 586-7393. Mr. Rabb's phone number is (202) 586-4656.

We appreciate your willingness to participate in this important effort; and we look forward to seeing you on March 15.●

S. 667, THE PORT OF ENTRY INSPECTIONS IMPROVEMENT ACT OF 1993

● Mr. D'AMATO. Mr. President, I am pleased along with Senator SIMPSON to join with 10 other Senators in introducing the Port of Entry Inspections Improvement Act of 1993.

Our seaports and airports have become open gates to those like Sheik Omar Abdel Rahman, who can board a boat or plane and travel here. The formal process, the requests for admission, visas, and other applications, in fact the entire system of immigration control has entirely broken down.

Now, by simply setting foot on American soil and requesting political asylum, an alien enjoys the rights and liberties guaranteed under the Constitution to American citizens. Once here, it is extremely difficult to deport an illegal alien. We need no more proof than the case of Sheik Rahman.

Sheik Omar Abdel Rahman, the spiritual leader of the violent nest of territories operating in the New York metropolitan region is a case in point. Those charged with the bombing of the World Trade Center in February 1993, are his followers. He, like all but one of those charged with the bombing, entered illegally and either overstayed their visas, or claimed political asylum.

The Sheik entered illegally in 1990, leaving and entering repeatedly at

least three times under different combinations of names. He asked for political asylum.

The defendants in the bombing also were illegal aliens. In addition to the Sheik, one of the bombers also asked for political asylum. Bilal Alkai is an illegal immigrant from Jordan who came to the United States in 1987 and applied for political asylum. He later surrendered himself to authorities in connection with the World Trade Center bombing.

The other men charged in the bombing overstayed their visas:

Mohammed Saleh was an illegal alien from the West Bank in Israel who came to the United States in 1985;

Mahmoud Abouhalima came to the United States illegally in 1986 on a German passport and posed as an agricultural employee to receive permanent residence;

Ibrahim Elgabrownny came illegally from Egypt.

These men took great advantage of the several loopholes in the system. What our bill attempts to do is to close one gap in the process. It will do the following:

Any alien who uses or attempts to use a fraudulent document for the purpose of coming to the United States would be subject to an order of exclusion issued by an immigration officer. Such an order would not be subject to direct judicial review, although limited review by writ of habeas corpus would continue to be available.

The amendment also provides for the exclusion of aliens who initially use documents to board an airplane, but then fail to provide a document to the inspector when they arrive at our ports of entry. This deals with an increasingly common practice of presenting fraudulent documents before boarding the plane and then destroying or discarding them prior to the immigration inspection after landing.

An INS officer will listen to a claim for political asylum. If he determines that the claim is not credible, then the alien is subject to exclusion. The alien may not appeal this exclusion.

An alien who arrives here with no documents or fake documents, is instead of being sent back to the place where he or she boarded the plane or boat is allowed into the country. In some cases, the alien destroys his documents on board the plane, and arrives undocumented.

On average, a person who enters the country illegally would have a preliminary hearing 4 months after they arrive. At that hearing they are often given work permits that allow them to hold a job in the United States. With this they can also apply for a work permit which gets them a Social Security card, which gets them a drivers license and now they can buy a gun, receive welfare, or even vote.

After a total of 18 months, the average alien would get a formal hearing on

their immigration status. A decision, however, can take months or even years longer to be handed down. Of course, this is assuming that the alien would even bother to show up for their first or second court appearance. It is quite easy to just disappear into the country and they often do, like the bombing suspects in fact did.

Those persons seeking refuge, or a new life, or even just a better opportunity, will not be turned away. We will not keep out those who want to come here to the land of opportunity. We want to encourage the arrival of fresh ideas, sharp minds, strong hands, and new dreams.

I urge my colleagues to join us in cosponsoring this bill.●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution in the budget for 1986.

This report shows the effects of congressional action on the budget through March 26, 1993. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the concurrent resolution on the budget (H. Con. Res. 287), show that current level spending is below the budget resolution by \$2.1 billion in budget authority and \$0.5 billion in outlays. Current level is \$0.5 billion above the revenue floor in 1993 and above by \$1.4 billion over the 5 years, 1993-97. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$392.4 billion, \$28.4 billion below the maximum deficit amount for 1993 of \$420.8 billion.

There has been no action that affects the current level of budget authority, outlays, or revenues since the last report, dated March 23, 1993.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 29, 1993.

HON. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on the budget for fiscal year 1993 and is current through March 26, 1993. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the Concurrent Resolution on the Budget (H. Con. Res. 287). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated March 22, 1993, there has been no action that affects the current level of budget authority, outlays, or revenues.

Sincerely,

ROBERT D. REISCHAUER.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE,
103D CONGRESS, 1ST SESSION AS OF MARCH 26, 1993
(In billions of dollars)

	Budget resolution (H. Con. Res. 287)	Current level ¹	Current level +/- resolution
On-budget			
Budget authority	1,250.0	1,247.9	-2.1
Outlays	1,242.3	1,241.8	-0.5
Revenues			
1993	848.9	849.4	+0.5
1993-97	4,818.6	4,820.0	+1.4
Maximum deficit amount	420.8	392.4	-28.4
Debt Subject to Limit	4,461.2	4,130.8	-330.4
Off-budget			
Social Security outlays:			
1993	260.0	260.0	
1993-97	1,415.0	1,415.0	
Social Security revenues:			
1993	328.1	328.1	(2)
1993-97	1,865.0	1,865.0	(2)

¹ Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

² Less than \$50 million.

Note.—Detail may not add due to rounding.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONGRESS, 1ST SESSION SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1993 AS OF CLOSE OF BUSINESS MARCH 26, 1993

	Budget authority	Outlays	Revenues
Enacted in previous sessions			
Revenues			849,425
Permanents and other spending legislation	764,283	737,413	
Appropriation legislation	732,061	743,943	
Offsetting receipts	(240,524)	(240,524)	
Total previously enacted	1,255,820	1,240,833	849,425
Enacted this session—			
Entitlements and mandatory			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	(7,928)	962	
Total current level¹	1,247,892	1,241,794	849,425
Total budget resolution²	1,249,990	1,242,290	848,890
Amount remaining:			
Under budget resolution	2,098	496	
Over budget resolution			535

¹ In accordance with the Budget Enforcement Act, the total does not include the following in emergency funding (in millions of dollars):

	Public Law	BA	Outlays
102-229			712
102-266			33
102-302			380
102-368		926	5,850
102-381		218	13
103-6		3,322	3,322
Total		4,467	10,310

² Includes revision under Section 9 of the Concurrent Resolution on the Budget.

Notes.—Amounts in parentheses are negative. Detail may not add due to rounding.*

RETIREMENT OF WALTER HENDERSON

• Mr. BRYAN. I rise today to commend a resident of my State who embodies the words "distinguished citizen." Although I speak on this day to honor his retirement, these words could have been said at any time during his remarkable career.

After 37 years, Walter Henderson, a native of Nevada, is retiring from the Laborers' International Union of North America Local Union No. 169. Walt was born in Fallon, a small community in Nevada. He spent his formative years in California where his family moved during World War II. When Walt was a student at Santa Cruz High School, he was an outstanding athlete earning the honor of All Coast County Athletic League "outstanding offensive and defensive guard."

During the Korean war, Walt enlisted in the U.S. Navy and served as boat-swain's mate. He was awarded the Navy Good Conduct Medal and was honorably discharged. Upon returning to Santa Cruz, Walt married Gwen; his wife of 36 years and mother of their three children, Debbie, Dena, and Jerry.

Every Nevadan has Walt's Aunt Velma to thank for the prescient advice she gave Walt when she suggested that he join Laborers' Local Union 169 in Reno. Taking her advice, Walt moved to Reno and worked as a construction laborer for 16 years before being selected a field representative for the local. Over the past 21 years, Walt has served as vice president, business manager, and secretary-treasurer of the local.

Walt's abundant leadership capabilities have benefitted many groups in the State. He was elected to serve as vice president of the Building and Construction Trades Council of Northern Nevada, vice president of the California Public Employees District Council, business manager of the State of Nevada Laborers' District Council, director of the Northern Nevada Laborers'—A.G.C. Training Trust Fund, and chairman of the Laborers' Pension and Health Trust Fund.

To the great fortune of the community Walt donated his time and effort in many ways to many area groups. He was an assistant scoutmaster to Boy Scout Troop 76, coached Little League, was a member of Masonic Lodge 35 F. &

A.M., chaired the Nevada Industrial Claims Board in Yerington, was a member of the C.E.T.A. Board, served as associate foreman of the Federal Grand Jury, served for 6 years on the Washoe County Regional Planning Commission, and was recently appointed by the Governor to serve on the State of Nevada Unemployment Review Board.

On April 3, 1993, I will join Walt's family, friends, union and community members in honoring Walt, thanking him for the many contributions he has made to the community and I am sure will continue to make and wishing him well in his retirement years.♦

ORDERS FOR TOMORROW

Mr. FORD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m., Wednesday, March 31; that following the prayer, the Journal of proceedings be deemed approved to date and the time for the two leaders reserved for their use later in the day; that there then be a period for morning business, not to extend beyond 10:30 a.m., with Senators permitted to speak therein for up to 5 minutes each; with the following Senators recognized for the time limits specified: Senators FEINGOLD, GRAMM, and GRASSLEY for up to 10 minutes each, Senators DANFORTH and MURKOWSKI for up to 20 minutes each and Senator KRUEGER for up to 5 minutes; that at 10:30 a.m., the Senate resume consideration of H.R. 1335, the emergency supplemental appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT 9 A.M.

Mr. FORD. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 7:57 p.m., recessed until Wednesday, March 31, 1993, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate March 30, 1993:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ROBERTA ACHTENBERG, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE GORDON H. MANSFIELD, RESIGNED.